

Legislative Assembly of Alberta

Title: **Wednesday, April 30, 2003**

1:30 p.m.

Date: 2003/04/30

[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon and welcome.

Let us pray. O Lord, guide us in all of our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

Mr. Jonson: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly Mrs. Binarti Sumirat, consul general of the Republic of Indonesia. She is accompanied today by Bebeb Djundjungan, vice-consul of the Republic of Indonesia.

The consul general represents the world's most populous Islamic nation and the fourth most populous country in the world. Indonesia is also a large export market for Alberta. Our province has strong links to Indonesia's oil and gas sector. Those links go far beyond trade as well. In 2001, for example, Indonesian culture was on display at Klondike Days here in Edmonton. Through the Wild Rose Foundation Alberta helped establish a blood bank in Indonesia and helped small business operators through microloans.

I would ask that our honoured guests please rise and receive the traditional warm welcome of this Assembly.

head: **Introduction of Guests**

The Speaker: The hon. the Premier.

Mr. Klein: Thank you, Mr. Speaker. I'm pleased to introduce today to you and through you to members of the Assembly 53 participants in the Forum for Young Albertans. These are students from a number of high schools across the province who are spending the week learning about the Legislature and the inner workings of government. They have met with several members of the Assembly, and earlier this week they visited the Court of Queen's Bench to see the judicial system firsthand. On Friday they'll be holding a model parliament here in this Chamber.

Mr. Speaker, for more than 20 years the Forum for Young Albertans has been bringing young people from across the province together for these kinds of educational experiences. It provides an excellent opportunity for Alberta's future leaders to get up close and personal with their government and to learn more about the traditions and procedures of this Assembly. Who knows? Amongst these students may be some of Alberta's future MLAs.

Now, I would ask that our honoured guests – and I believe they're in the public gallery – rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Aboriginal Affairs and Northern Development.

Ms Calahasen: Thank you, Mr. Speaker. Today it's a great pleasure for me to introduce to you and to the Members of the Legislative Assembly a very special person who I haven't seen for a while but who is very active in the community of High Prairie. She's here today passing through, and I just happened to see that she's sitting

in the members' gallery. Her name is Irene Salisbury. She sits on a number of boards, the citizens appeal board and the Students Finance Board, and she's always one of those individuals who likes to listen to all sides and is very fair in whatever she does. So I'd like her to stand and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to members of the Assembly two classes of grade 6 students from St. Patrick community school in Red Deer. These students are enthusiastic, very bright, and are in awe of the beauty of the architecture of this beautiful building. They are accompanied by their teachers, Irene Pickle, Gayle Currie, Rachel Letts-Trentham, Teresa Ruffle, and parent helpers Charleen Pfeil, Glenda Malsbury, and Yolanda Richards. They are seated in the members' gallery, and I would ask them all to rise to receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Calgary-East.

Mr. Amery: Thank you, Mr. Speaker. It's indeed a pleasure to rise today and introduce to you and through you to members of the Assembly 32 visitors from Bob Edwards junior high school in the community of Marlborough in the constituency of Calgary-East. We have 27 bright and intelligent students and five adults. The adults are their teacher, Mr. David Siemens, and the assistant principal, Ms Michelle Wills, and parent helpers Margaret Moen, Lori Stark, and Leonard Sieben. They're seated in the public gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Community Development.

Mr. Zwozdesky: Thank you. Mr. Speaker, I don't know if my guests have arrived or not, but I understand that Orest Porayko is here with a visitor as well, and if they're present, I'd sure like to welcome them to the Assembly and ask them to stand and receive the warm welcome of all members here.

head: **Oral Question Period**

The Speaker: First Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Energy Deregulation

Mr. MacDonald: Thank you, Mr. Speaker. Letters, faxes, phone calls, e-mails, and the first of many town hall meetings, last night in Camrose organized by the Official Opposition, have shown that this government's botched deregulation scheme has left Albertans broke, confused, frustrated, and angry. Larry Grenier, an Albertan whose utility bills have more than doubled, stated, quote: I'm really disappointed living in Alberta. To me it's no longer anything great. It's not an advantage at all. End of quote. My first question is to the Premier. Why is it government policy to wait until an election to provide Albertans relief from high utility costs?

Mr. Klein: Mr. Speaker, I don't believe that Albertans feel that they are broke and frustrated and angry. As a matter of fact, when I go out and about in this province, I find that people are reasonably pleased. Yesterday I had the opportunity of being in Crowsnest Pass to celebrate the 100th anniversary of the Frank tragedy, the Frank slide, and there wasn't one complaint.

Now, I can understand that people will complain at a Liberal-organized forum. They go out and they advertise and they say: anyone with a complaint, please come out to the forum. Naturally, you know, there are about 30 percent of the people in this province who are unhappy, and they won't vote for us, the Conservatives. They'll vote for either the NDs or the Liberals, and that's a known fact, but we have to as a government pay attention to the majority and do what is in the best interests of the majority.

Relative to electricity and utility costs we do the best we can to make sure that laws are in place through corporate and consumer affairs, through the Department of Energy, through the Energy and Utilities Board to make sure that the citizens of this province are being treated fairly. In addition to that and relative to natural gas, Mr. Speaker, we put in a program where based on a yearly average, a rebate will kick in when the price on average reaches \$5.50 a gigajoule.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Premier: given that most Albertans can no longer afford to wait for the low energy prices that this government promised, when will energy deregulation kick in for the benefit of all consumers in this province?

Mr. Klein: Mr. Speaker, it has in some regions already. I can tell the hon. member that more power production has come onstream. We see more competition at the retail level, and over time as competition and more power come onstream – and hopefully we aren't hampered by the Kyoto protocol relative to our ability to generate more power through the use of coal – the price, naturally, will come down.

1:40

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Premier: can the Premier please explain why this government still blindly pursues energy deregulation when it has destroyed the economic advantage Albertans used to enjoy?

Mr. Klein: Mr. Speaker, I'm going to have the Minister of Economic Development supplement my answer. We have not in any way, shape, or form destroyed the Alberta advantage. As a matter of fact, people are coming to this province in droves. We still have one of the lowest, if not the lowest, unemployment rates in the country. We're the only province without a multitude of taxes such as sales tax, payroll tax, capital tax. We have the lowest corporate and business tax rate in the country. We have the lowest personal tax rate in the country. People – that is, the majority of people – say to me: am I ever happy that I moved to Alberta. These are people from all across the country.

The Speaker: Second Official Opposition main question. The hon. Member for Edmonton-Riverview.

Holy Cross Hospital

Dr. Taft: Thank you, Mr. Speaker. My questions are to the Minister of Human Resources and Employment. Since charges were laid against the owners of the Holy Cross hospital in December, have any further violations been reported by occupational health and safety officers at the Holy Cross site?

Mr. Dunford: I don't have any information in front of me, and if the hon. member does, certainly if he wishes to send it over, I'd be glad to look into it.

Dr. Taft: Is the minister aware of public health or workplace hazards other than asbestos at the former Holy Cross hospital?

Mr. Dunford: Same answer.

Dr. Taft: Okay. We'll try a different approach. To the same minister: given that occupational health and safety officers have been at the Holy Cross for two years, can the minister assure Calgarians and all Albertans that the Holy Cross is a safe environment?

Mr. Dunford: Well, it puts me in a difficult situation, of course, to try to answer that when the hon. member knows very well that an investigation is ongoing, and of course who knows the outcome of that investigation? So it's very clever of him, but I'm not in a position to respond.

The Speaker: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Postsecondary Education Funding

Dr. Massey: Thank you, Mr. Speaker. The TD Bank report identified weaknesses in Alberta's education system, and a recent study by the students' union at the University of Alberta may help explain why that weakness exists. My first question is to the Minister of Learning. Why in constant dollars has there been an average \$2,000 drop in per student operating grants at our two biggest research universities over this last decade?

Dr. Oberg: Mr. Speaker, back in 1993-94 there was approximately a 19 to 20 percent decrease in the amount of dollars that were given to the postsecondary institutions. For those of us who were in the Legislative Assembly and for those of us who lived in Alberta at that time, obviously we had a problem with the deficit. There were numerous departments that showed a significant decrease in the amount of dollars that they received. Since 1995 the dollar amounts that have gone to postsecondary education from, first of all, the minister of advanced education and, secondly, from myself as the Minister of Learning have increased quite dramatically. As a matter of fact, at the University of Alberta over the last three years the increase has been in the range of 12 to 15 percent.

So we fully recognize that there was the decrease at that time, in the '93-94 era. We are continuing to put dollars back into the postsecondary system, Mr. Speaker. This year alone there was around 4.2, 4.3 percent that went back into the postsecondary system. This is money, from my point of view, that is extremely, extremely well spent.

The Speaker: The hon. member.

Dr. Massey: Thank you. Again to the same minister: given the TD report, what is the government doing to avoid the cuts in staff and in service that are being proposed at these two major universities?

Dr. Oberg: Well, it's interesting, Mr. Speaker. Today in a couple of the papers there was an article about the arts department at the University of Calgary, I believe it was, that was going to have to decrease \$5 million. What in actual fact happened is they were given instructions to decrease 2 and a half million dollars from their wish

list. This was not a \$5 million decrease in their department.

We continue to fund the universities. We continue to put as much money as possible into the universities because, as I say again, I do believe that money in the postsecondary system is money that is extremely well spent.

The Speaker: The hon. member.

Dr. Massey: Thank you. Again to the same minister: does the minister see any relationship between the Learning department budget and the \$10.5 million cuts being proposed at the University of Alberta?

Dr. Oberg: Well, Mr. Speaker, again I'll reiterate. There has been approximately a 12 to 15 percent increase in the University of Alberta over the past three to four years. One of the other things that you must remember is that included in my budget is a 2 percent increase that is yet to be allocated. There is \$10 million for the performance fund, and there's another \$10 million for the access fund. Those are dollars that have yet to be allocated to the system. The University of Alberta from time to time goes through looking in their particular organization for efficiencies, and that's one of the situations that has happened here now. Again, I feel that it's important enough that I will reiterate for the third time that money in postsecondary education is money that is extremely well spent.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Manning.

Toxic Mold in Foothills Medical Centre

Dr. Pannu: Thank you, Mr. Speaker. The first documented complaint of mold contamination in the renal dialysis unit at Calgary's Foothills hospital was made over six months ago. Since then, 62 out of about 100 staff who work in this unit have been exhibiting symptoms consistent with toxic mold contamination. After months of foot-dragging the first independent testing for mold contamination is finally taking place this week. Contrast that to the swift action taken by the Minister of Children's Services. She moved staff out of the Hunterhorn facility in Calgary shortly after the possibility of mold contamination was first suspected. To the Minister of Health and Wellness: why has the Calgary health region been allowed to stonewall for months on repeated requests for an investigation into mold contamination at the Foothills when Children's Services took immediate action to protect its staff and clients in similar circumstances?

Mr. Mar: Mr. Speaker, the reality is that mold exists. It is naturally occurring, and in fact the levels outside, the natural environment, tested higher for the presence of mold than within the Foothills medical centre.

Mr. Speaker, I'm here today to say that Albertans should have confidence in their health care system, and furthermore when a problem arises, Albertans should have confidence that the right steps are being taken in order to correct it. I've stood in this House; I've answered questions from the hon. Member for Edmonton-Riverview, from the hon. Member for Edmonton-Strathcona. I did that yesterday. I spent two hours yesterday afternoon answering questions in estimates. I'm happy to stand here to answer questions today, tomorrow, and for every single day of this session if necessary in order to make sure that Albertans know what the score is and what's happening with the Calgary health region and the Foothills hospital.

Now, Mr. Speaker, the Calgary region responded to an incident and took remedial action. The amount of mold that was present was below the levels prescribed as being dangerous by Health Canada, not our standards but by Health Canada. In the expert medical opinion of Dr. Thomas Louie, who is the medical director of infection control and prevention for the regional health authority, the facility is safe. The hon. member may be a doctor, but he is not a physician who is qualified to replace and displace the expert medical opinion of Dr. Louie with respect to the safety of the Foothills facility. I can assure the hon. member and all Albertans that Dr. Louie and members of the regional health authority are concerned about ensuring the safety of patients and staff.

When the mold was discovered, remedial action was taken. The mold occurred because of construction that was taking place and some leaking of water. Now, the mold was found in the drywall, in cabinetry and sinks in one of the units at the facility. Those things were removed forthwith. They did more than they were required to do, and it ought not be within the needs of this member to make a political issue out of what really amounted to the right steps being taken by the regional health authority to ensure the safety of staff and patients at that facility.

1:50

Dr. Pannu: Will this minister explain why he failed to act with the same promptness as the Children's Services minister, who took decisive action to relocate staff and clients from a children's facility that was suspected of mold contamination? The question is of promptness. Would you explain that, Mr. Minister?

Mr. Mar: Mr. Speaker, it is not the responsibility of the minister of health to review incident reports on every issue that turn out to be a nonthreat to the health of patients and staff at the Foothills hospital. I reiterate that the regional health authority has a process in place to respond to incidents appropriately. It would be untenable for the operation of any organization the size of the Department of Health and Wellness and regional health authorities for every incident of a nonthreatening nature to be reviewed by me. That's simply not an appropriate role for the minister of health.

Again I repeat: it is not appropriate for the hon. Member for Edmonton-Strathcona to try and displace the expert opinion of an expert on matters of infection control and prevention. It ought not be his responsibility to try and displace an expert opinion in that regard.

The Speaker: The hon. member.

Dr. Pannu: Thank you, Mr. Speaker. A final question to the same minister: why did it take the threat of legal action from the United Nurses of Alberta's solicitors to finally get the Calgary health region and this minister to take more contamination problems at the Foothills seriously?

Mr. Mar: Mr. Speaker, at all steps the regional health authority has been completely transparent with the United Nurses of Alberta and AUPE members who expressed concerns about this. When this first arose in October of last year, remedial steps were taken, new tests were taken. It was again found that with the exception of one case, all of the mold levels were below the standards established by Health Canada. In the one case where the mold was above that standard, it was found in an area that was in a ceiling area that was subject to negative air pressure, meaning that the mold was contained in that particular area. In the best advice of Dr. Louie it was best to leave that mold there rather than disturb it and allow it to migrate into the balance of the unit.

So the regional health authority has worked with its staff members. It has been completely candid and open about the remedial actions that have been taken. It has been completely open and transparent about the risk which resulted as a result of this, and they assessed the risk to be very low. All the right steps have been taken, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Riverview.

Education Property Taxes

Mr. Vandermeer: Thank you, Mr. Speaker. It was my understanding that the portion of education property taxes collected by municipalities, then sent on to the provincial government was at one time capped at \$1.2 billion with the intent to eventually eliminate the provincial portion of property taxes altogether, giving municipalities more flexibility on how much taxes they may collect. For the last two years that cap has been removed, and provincial revenues have increased because of this. My first question is to the Minister of Finance. Is it still the intent of this government to eventually eliminate the provincial portion of the property taxes dedicated to education?

Mrs. Nelson: Well, Mr. Speaker, we made a decision in 1994 in this government to collect school property taxes across the province so that every child no matter where they lived in Alberta would have the same benefit of dollars to go into education to provide an equal education from north to south to east to west. I think that was a very good decision for the children and for the school districts that were having difficulty. The use of the property assessment has been a good stable basis for providing a vehicle to collect a property school tax formula.

In putting that framework together, there has been an ongoing debate as to how much of the school tax should be levied at the property level. With the cap on the mill rate that we've put in place at 8 percent, we've seen that portion move from being almost a 50-50 split to something less than that so that the school property assessment makes up roughly 35, 36 percent today. In fact, it means in the city of Edmonton, as an example, Mr. Speaker, that it is estimated that the Edmonton school boards will receive about \$638 million in education funding. From the school property assessment they will receive \$235 million, so they'll receive 2 to 1 on their education. So \$235 million would come from the school property assessment side of the equation, and the balance would come from the general revenue fund.

To make a move, Mr. Speaker – and this is important – to move away from that type of program, you would have to replace that revenue in some other form of taxation. It's not a matter of getting rid of it; it's a matter of: where does it fit best in our assessment? At this point we have found that the property is the most stable vehicle for collecting that tax.

Mr. Vandermeer: My first supplemental is to the Minister of Municipal Affairs. Given that it has been said that the only way taxes are going is down in Alberta, why have you allowed for a tax increase for property owners?

The Speaker: The hon. minister.

Mr. Boutilier: Well, thank you very much. Let me reiterate this to put it in perspective. In the city of Edmonton, a city that was recognized as the most growing city in Canada, this year in education property taxes we will collect \$235 million for the province.

The city of Edmonton will receive over \$638 million because we believe in this province that we need the necessary funds to educate our children to make it the great province that it is, and in doing so, we want to continue to do that.

What I'm also proud to say, though, is that we do have a formula in place to mitigate any jolts in the system, and I truly do believe that people in this province believe that we need to fund our education system in a very, very important way. You may not be aware, but, members of the Assembly, what we collect in education property taxes in municipalities makes up about one-third of the total fund of education funding.

Mr. Vandermeer: My second supplemental question is to the Minister of Seniors. What are you doing for seniors on low fixed incomes who are negatively affected by increases in their property taxes?

The Speaker: The hon. minister.

Mr. Woloshyn: Thank you, Mr. Speaker. People on fixed incomes, including seniors, have unfortunately been facing increasing costs in rent and property tax and utilities and food and health care products and transportation and the list goes on and on. We have a very good program for the lower end seniors. My concerns are with people in the mid area.

With respect to property taxes specifically I hope to be entering into discussions with the AUMA and the AAMD and C and others to see if we can devise some sort of program that will at least stabilize or make the property taxes predictable when the seniors enter into that time of life that's marked by the age of 65.

Persons with Developmental Disabilities Program

Dr. Taft: Mr. Speaker, according to financial statements from the Persons with Developmental Disabilities Provincial Board, PDD achieved a marginal surplus last year thanks to "managing uptake of new individuals," "implementing across-the-board reductions to all programs," and "instituting other discretionary cuts." These phrases are government-speak for limiting access and cutting programs and services. My questions are to the Minister of Community Development. Given that this year's increase in PDD funding is comparable to last year's, how can the minister assure disabled Albertans and their families that they won't be faced with another year of cuts and program cancellations?

2:00

Mr. Zwozdesky: Well, Mr. Speaker, any reference to cuts or program cancellations is rather false, and I take some exception to that. If there are some specific cases where some of the agencies providing these services have decided to move on or reduce their load or whatever, that's a separate matter. I can tell you that during the three budgets that I've been privileged to work with for PDD, we've seen increases of 8 percent, 8 percent, and this year it's about 8 or 9 percent again. It provides for ample dollars through our community agencies who hire their own people to provide outstanding services for over 8,000 individuals whom we refer to as persons with developmental disabilities. We're very proud of that record because this is a needs-based, demand-driven program. For those individuals who cannot do for themselves, we're very proud to help them out, and we will continue doing that to the very best of our abilities.

Dr. Taft: Well, if funding for PDD is adequate and, indeed, in the

minister's words "ample" and if management is appropriate, how does the minister explain that there are individuals in Edmonton and Calgary waiting anywhere from five months to over a year for PDD services?

Mr. Zwozdesky: Mr. Speaker, the answer is that there is an intake assessment process, which is extremely thorough and geared to each individual's particular case and each individual's circumstances. I want to make it very clear that those individuals who are the highest priority, who might be at risk for health, safety, or other concerns, are dealt with first and, generally speaking, immediately, and I'm talking within days. There might be others who are not in as dire a circumstance who might be waiting a short period of time, but in fairness to that question those individuals are also being taken in faster, and the additional moneys, \$30 million to \$40 million more that we've added this year, will help speed up that process as well.

Dr. Taft: Can the minister explain why spending last year on PDD administration and governance grew faster than funding for programs in direct operations?

Mr. Zwozdesky: Well, Mr. Speaker, let's be clear that when we're talking about administration, we're talking, by and large, about administration that is carried out mostly by volunteer, not-for-profit organizations, organizations like Goodwill and Robin Hood, Winnifred Stewart, and other organizations like that. So administration costs are really at the local level.

The member has raised an interesting question, because I myself have looked into some of the admin costs. Quite frankly, I can tell the House that there are some agencies that operate with about a 15 percent administration overhead, and there are some that are up over 30 and 40 percent. Now, it's not that simple or that clear cut, because we have to remember that we're dealing with human beings who have very specific needs, and they will vary, Mr. Speaker, from person to person. So it does take some additional administration for those who are in the higher level needs area than those who are at the lower end of the needs equation.

The short answer to the whole issue is that there has been much more money provided again this year to specifically address the needs of those individuals who are in those circumstances and need the help the most, and we're very proud of what we're doing there.

The Speaker: The hon. Member for Airdrie-Rocky View, followed by the hon. Member for Edmonton-Glengarry.

Alberta Film and Television Industry

Ms Haley: Thank you very much, Mr. Speaker. Recently the Alberta film community heard very disturbing news regarding the Canadian television fund and that cuts of \$25 million to the funding level will mean the end of many Canadian and Alberta television shows and series. I was wondering if the Minister of Community Development could possibly tell us what the anticipated impact on the Alberta film and television industry may be from these cuts.

Mr. Zwozdesky: Well, Mr. Speaker, the film and television industry in this province is alive and well and has just enjoyed an increase in its budget as well. However, the federal government's recent move to reduce the Canadian television fund income by about \$25 million courtesy of the federal government will have a devastating impact on our television programs that are created here in the province. In fact, from conversations with the Alberta Motion Picture Industries Association as well as with individual film producers I can tell you

that six out of seven films for television which were to have been created in this province will likely not go ahead; in fact, it's almost certain that they won't. That will further translate into a huge loss to the industry while we as a province are trying so hard to bolster it. So, in short, it will have a devastating effect on films for television such as *100 Days in the Jungle*, which people will remember as the story of Edmonton oil workers who were abducted down south, and other excellent documentary films similar to that.

Ms Haley: In light of your answer, Minister, what are you doing to ensure that the Alberta film industry is not unfairly impacted by these cuts?

Mr. Zwozdesky: Well, Mr. Speaker, I have written to the minister at the federal level, the Minister of Canadian Heritage, and asked for a review of this decision, possibly a rescindment of the decision, reinstatement of the funds so that this important industry not only in our province but throughout the great Dominion of Canada can be bolstered to the levels that it's been enjoying. I know that in the province of Alberta through grants that we provide for film development, we've seen activity directly connected to that investment in excess of \$70 million. This withdrawal of federal funds for television programs will likely have an impact of a loss of about \$20 million in terms of jobs and wages and creative services. That includes about a \$10 million impact to the hotel industry and the food industry and related industries. So I have already written to that minister, and I hope to speak with her about this very shortly, try to get her to change that decision so that our film industry in this province can continue with the great support that it needs and as a bolstering of our national identity in the process.

Ms Haley: My last question, Mr. Speaker, is to the Minister of Economic Development. Given that the Film Commission is under his department's responsibility, I'm wondering if he has any idea what our film commissioner or the Film Commission in total would be doing to help market our product better so that the impact of the federal cut is less severe on Alberta film producers.

Mr. Norris: Well, I'd like to thank the hon. member for that great question. We are doing a number of things, Mr. Speaker. At the outset this industry has had some challenges, to be sure, and this federal government decision is yet another challenge. To that end, we've written the Minister of Finance, the Hon. John Manley, asking him to reconsider that decision immediately.

Our Film Commission is now focused on getting out the message about Alberta producers and Alberta backlots. The industry calls it God's backlot because of the remarkable opportunities throughout Alberta, from Drumheller to Crownsnest Pass to the mountains to the beautiful Cold Lake area. So our commission is now traveling around the world to various shows, certainly the one coming up in Banff that we're hosting, and there's another one in Paris that's going to be attended. This is where the industry gets together and says: "What are the opportunities? What can we do?" We have to be there as Alberta, first and foremost, to let them know what the opportunities are, and under our department and our commission we are doing that.

We can obviously do a lot more, but it's a very easy thing to sell because, clearly, Alberta is a remarkable backlot. We have great producers and great directors, and the number of projects that have been done here is second to none, so we're going to keep working on it, understanding the challenges.

Thanks.

Lethbridge County Airport

Mr. Bonner: Mr. Speaker, since September 2001 Lethbridge airport's port of entry status has been suspended. This has resulted in a devastating economic impact on the community. Regional, national, and international corporations are feeling the pinch as a result of the cost to the community of Lethbridge, and this easily reaches into the millions of dollars every year. To the Minister of Transportation: what is the minister doing to resolve this transportation crisis?

Mr. Stelmach: Mr. Speaker, we have made numerous, numerous contacts with the federal minister, actually with a number of federal ministers, not only the minister responsible for treasury but transportation as well, security. We've looked at all kinds of ways of creating some resolution to the problem over a period of time, but the most important thing is that even with the council of western transportation ministers, all four western provinces, getting together and having a joint submission, the federal government still hasn't come forward with at least a reasonable response and at least telling us where the \$24 that originally was taken – every person that got on a plane to fly even from Vancouver to Alberta paid \$24 as a security fee, creating a billion dollar fund, and nobody knows where this money is going. When we get that answer, I'll be glad to transfer and communicate that response to the hon. member.

2:10

The Speaker: The hon. Minister of Learning to supplement.

Dr. Oberg: Thank you very much, Mr. Speaker. In my capacity as minister responsible for immigration I have also taken this task forward to the minister responsible for customs and immigration. As a matter of fact, I hand delivered a note from the county of Lethbridge to Minister Denis Coderre, who is responsible for customs and immigration. I gave him that letter from the county back in October of last year. The federal government has certainly been made aware of the issue, and to date we have not received any answer back on this.

Mr. Bonner: Mr. Speaker, to the minister of intergovernmental affairs: what has the minister done to get Lethbridge airport's port of entry status reinstated?

Mr. Jonson: Mr. Speaker, as indicated, we have certainly added our voice through our department to the whole matter of getting the status for the Lethbridge airport changed. The ministers involved have been contacted. There have been meetings with them. It's my understanding that recently one of the ministers, in fact, was in the area of southern Alberta and had some discussions. However, I have to admit that to this point in time we've only had very general responses, which would indicate that they are reviewing the situation. Certainly, this decision is one that is long overdue, and we should have that airport situation resolved.

Mr. Bonner: To the Minister of Economic Development: what is this minister doing to alleviate the effects of this crisis on the corporations who are affected in southern Alberta?

Mr. Norris: Well, obviously, air access is crucial to any economy. We have been working with the Minister of Transportation. We have also written to the federal minister responsible for the security tax that the minister referred to. I guess what we're looking at in general is air access throughout the province as an economic

development initiative to understand and have an inventory, if you will, of where those points of entry are. The city of Red Deer is now attempting to get that same status, so we work together with the Minister of Transportation and our federal counterparts under the Transportation department, who have the key influence in that.

I have to say that the good people of Lethbridge and the MLA for that particular riding have been tireless about bringing this matter to our attention, and we're going to continue on it until the federal government relents and gets it back to where it should be.

The Speaker: The hon. Member for Lac La Biche-St. Paul, followed by the hon. Member for Edmonton-Centre.

Centennial Celebrations

Mr. Danyluk: Thank you very much, Mr. Speaker. Alberta's 100th year anniversary is about two years away, and I have been receiving calls from my constituents and school classes who want to know how they can participate in the celebration aspect of Alberta's centennial, not just the centennial legacy projects but specifically the celebratory events. My questions are to the Minister of Community Development. Can the minister tell us more specifically what celebration components are being planned for 2005, how Albertans and in particular how Alberta schoolchildren are going to be involved?

Mr. Zwodzesky: Well, Mr. Speaker, there are a number of programs being planned right now for Alberta's schoolchildren. I think it's important at the outset to delineate between so-called legacy projects versus celebrations projects. Legacy projects were started almost three years ago because we did recognize at the time that it'll take longer for that infrastructure to be built, be it community halls or swimming pools or ice arenas or whatever it is that the community wanted.

The other side of that, of course, is the celebrations side, and specific to Alberta schoolchildren, along with projects that specifically focus and rivet their attention on the proud history of this province during our 100th year, we will certainly have essay contests and poetry contests and research contests and displays and all those kinds of things. In fact, we also hope to include at least 100 young Alberta schoolchildren in a special audience with a royal family member, should we be fortunate enough to receive a visit from a royal family member, as well as medallions for all the schoolchildren. Of course, the official song will be out, and it will be scored and orchestrated and arranged for children's choirs and for high school bands and so on.

In addition to that, of course, we invite a lot of local initiatives to occur, homecomings and reunions and the like, where municipalities will be actively involved, as will all of our extremely very, very capable volunteer, community-driven projects.

The Speaker: The hon. member.

Mr. Danyluk: Thank you very much, Mr. Speaker. To the same minister: which other ministries are involved in the centennial celebrations, and what kind of cross-ministry initiatives are you planning?

Mr. Zwodzesky: Well, Mr. Speaker, almost every government department is going to be involved in the centennial one way or another. Some of the obvious examples would be Alberta Learning, Economic Development, Aboriginal Affairs and Northern Development, certainly the Seniors department with special recognitions for the pioneers and some who might even be turning 100 in Alberta's

100th year. There will be special initiatives along those lines, but we'll also have projects that include Environment, obviously Children's Services. There's just a whole potpourri of cross-ministry government initiatives that will be rolled out, again, as we get closer to about two years out, which will be later this fall.

The Speaker: The hon. member.

Mr. Danyluk: Thank you very much, Mr. Speaker. My final question to the same minister: what kind of lasting legacy can Albertans expect from these centennial celebrations, and how much will they cost?

Mr. Zwoddesky: Well, Mr. Speaker, the legacies will be many and varied. Obviously, we will have some vertical infrastructure projects, places where they can visit, wonderful projects such as the swimming pool in Olds, such as the Tri Leisure Centre in Spruce Grove, such as the updated bus barns here in Edmonton or the incredible project to revamp Calgary Heritage Park, and the list goes on and on. In total there will be at least 50 or so of those types of projects. When we roll into that other centennial projects such as the Alberta Heart Institute or the bone and joint centre of excellence down in Calgary, there will be some hospital-type facilities. I'm sure there will be some schools and so on. All of those that will be inaugurated or completed in 2005 will be viewed as centennial projects.

So in total, Mr. Speaker, we've spent \$58 million on centennial legacy projects that are community based so far. We added another \$19 million for 31 projects here a couple of weeks ago, and we still have a little ways to go. But you'd have to add up all of those figures to get an exact answer to the last part of the hon. member's question.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Homeless Initiatives

Ms Blakeman: Thank you, Mr. Speaker. Last fall's count of homeless people in the city of Edmonton found over 1,900 individuals living on the street including 267 children under 15, enough kids to fill an elementary school and meet a full utilization rate. The count showed that 65 percent more people lived on Edmonton streets now than just two years ago. My questions today are to the Minister of Seniors, responsible for housing. Given that the city of Edmonton had to open an LRT station for the homeless this winter, does the minister still believe that the province is doing enough?

Mr. Woloshyn: Mr. Speaker, first of all, 1,900 homeless are not living on the streets and were not living on the streets in Edmonton last fall or now or at any other time.

Secondly, with respect to what the province is doing, I do believe we have some 16 shelters that cover a whole myriad of different people with different needs whose needs we are trying to meet in conjunction with a lot of other authorities such as the Salvation Army and the Mustard Seed and whomever else. We have in the last three years invested millions of dollars in addressing this problem. Further, we have entered into housing agreements with the federal government where we will hopefully have some transition housing to further alleviate the situation.

With respect to the LRT being open for some emergency shelter space, I do thank the city of Edmonton for doing that. It was an appropriate action. There was a temporary need, and that need is no

longer there. Furthermore, Mr. Speaker, if you relate the event of a particular rooming house being closed for health reasons just prior to this need, you would see the relationship of the sudden need.

In short answer to her question "Are we doing enough?" I would say that we're doing what is humanly possible, and we will continue to address the problem and hopefully at some point resolve it on a long-term basis.

2:20

The Speaker: The hon. member.

Ms Blakeman: Thank you. Again to the Minister of Seniors, responsible for housing: why is the province continuing to download responsibilities onto municipalities?

Mr. Woloshyn: There again, you know, I find it rather interesting, a question coming out of the sky. This ministry is not downloading onto municipalities. We are working with municipalities. With respect to the homeless two years ago we had the municipalities draw up their needs for the homeless, and that policy became a basis under which we've been working. Edmonton has got a group which they go under, Calgary has, and so have the other five cities. I would like to relate that very recently, Mr. Speaker, we opened up a significant facility for the Canadian Mental Health Association in Grande Prairie. This was under a new affordable housing program that will help the homeless in Grande Prairie.

We work with the municipalities. They contribute. We appreciate the contribution. We also work with the federal government, whose contribution I also appreciate. It's on 50-cent dollars. This province has taken the lead, and quite frankly at the conference lately in Winnipeg we were touted as being leaders in the field. We are the province that has the first – the first – facilities being occupied in Canada under a new Canada affordable housing program. We only signed the agreement last June. If that isn't doing everything we can, Mr. Speaker, I don't know what more we can do.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Given that in December 2001 the Premier promised to report on homelessness but neither the offices of the Minister of Seniors and housing nor the Minister of Community Development can give me an answer about what happened to it, will the minister commit to finding out the status of this report and to sharing it with the Assembly?

Mr. Woloshyn: The report alluded to was a report to cabinet, which has been done, and it's there. No, I will not commit to sharing it.

The Speaker: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Fort.

Municipal Policing Grants

Mr. Mason: Thank you very much, Mr. Speaker. According to a document I will table later this afternoon, the city of Edmonton subsidizes the province of Alberta for \$13 million in policing costs by providing services that are provincial responsibilities. Downloading of senior government responsibilities such as serving documents, conducting bail hearings, and inspecting commercial vehicles is creating major expenses for municipal police services. The government, of course, canceled municipal policing grants in 1995, to top it all off. My question is to the Solicitor General. Given that the province gets \$1 billion from gambling and over \$500

million from liquor, why has the province failed municipalities by not contributing to the policing costs related to these activities?

The Speaker: The hon. minister.

Mrs. Forsyth: Thank you, Mr. Speaker. I would like to say, first of all, that we provide \$109 million in policing. We provide \$16 million in an unconditional grant. The city of Edmonton, I believe, receives approximately \$21 million, \$22 million in fine revenues. That does not exclude all of the other grants that they have applied for and received from this province.

I'm aware of some of their concerns in regard to policing, Mr. Speaker. We're working on that. We provide also \$2.4 million to CISA in regard to working on gang activities. Our door is open. We're willing to work with the police and will continue to do so.

Mr. Mason: Mr. Speaker, given the frustration of the police service personnel as evidenced by the threat that they will stop providing services in provincial jurisdiction to get more constables on the street, will the minister commit to immediate action to resolve this matter?

Mrs. Forsyth: Well, first of all, Mr. Speaker, let's be very clear here. Under the Police Act it is the responsibility of the police commissioner along with city council to determine the police budget. We can see in the paper today that the mayor of the city of Edmonton has asked for a \$2 million cut within the police budget. It is up to the council and the mayor and the police commission to determine the police budget.

Mr. Mason: Mr. Speaker, the question to the minister is this. Will the government stop downloading its responsibilities for matters in provincial jurisdiction onto municipal police forces, or will it alternatively supply them with the funds necessary to carry out those activities?

Mrs. Forsyth: Again, Mr. Speaker, the government is not downloading. What the hon. member is referring to is part and parcel of a policeman's job, and the police in this province do a very, very good job. Again I want to say one thing. It is the police commissioner for the particular city along with the city council who determines the police budget.

The Speaker: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Ellerslie.

Electricity Supply

Mr. Cao: Thank you, Mr. Speaker. My constituency of Calgary-Fort includes a large business and industrial park. The ensured and low-cost supply of energy, electricity particularly, is vital to the growth of my business constituents and also vital to Alberta's economic diversification activity. A good supply of electricity depends on both the generation capacity and the transmission network capacity. First, I want to ask the Minister of Energy about the generation capacity. Could the minister update the House on the generation capacity of electricity in Alberta?

Mr. Smith: Well, Mr. Speaker, yes, I can. It is an important piece to recognize that in the Member for Calgary-Fort's constituency there is a thriving industrial industry, and in fact it's an industrial industry, an industrial sector, and an industrial neighbourhood that's grown as a result of the Alberta advantage. In Calgary-Fort there's

absolutely proof positive that debunks and makes artifice of the continued comments from the opposition that electricity deregulation is inhibiting Alberta's growth. So I would invite those members who are concerned to simply visit Calgary-Fort, a good constituency in the city of Calgary, and look at that industrial area and see the benefits that accrue to all Albertans.

Mr. Speaker, it's very important in the component of low pricing for electricity that we have ample supply. Ample supply means good signals for generation, generation that will be delivered in a timely fashion, in a timely manner to the place where it's needed in this province. Subsequent to 1998 when the EUB no longer made decisions on market need, some 3,000 megawatts, or about 35 percent of the Alberta grid, have been added to the Alberta grid without an additional capital cost to the Alberta rate base.

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. My first supplemental question is to the same minister, and it's about transmission. I learned that the Fort McMurray area has high industrial activity, but there seems to be a lack of transmission capacity to and from the area. So my question is again to the minister about what he's doing in this area.

Mr. Smith: Well, Mr. Speaker, it is important, and it's another fundamental question. You can't have generation without transmission and you can't have transmission without generation in order to meet the growing needs of a growing Alberta and the growing demands from consumers. In fact, this has been an object of some considerable debate, consideration, and challenge not only to the government but to members in the marketplace. What actually has transpired in the province of Alberta is that we are a small market in comparative terms to world markets. We need to find ways to promote generation in an orderly, timely fashion in the marketplace, and that means that we don't want to put up speed bumps or artificial barriers to investment in generation. Generation is about five times more expensive than transmission, and in fact just as there's only one taxpayer, there's really only one ratepayer group.

We are examining the fact that we have a transmission system that has had no substantial investment over the past 15 years and that one area of generation, albeit far from the growing consumer demands, is the Fort McMurray oil sands area. Now, Mr. Speaker, in order to rightsize this generation, we have to send a signal that it would be in Albertans' public interest to metaphorically burn this gas twice; in other words, to use this gas not only to generate steam to extract bitumen from the oil sands but also to generate electricity for the benefit of all Albertans.

Mr. Cao: Thank you, Minister. My second supplemental question is: looking at the province as a whole and in terms of transmission development, could the minister tell us about the progress?

2:30

Mr. Smith: I'll just give a brief update on progress, Mr. Speaker, given the confines of time in question period. I can say that the Department of Energy is working on a transmission policy that takes into account delivering maximum generation benefit and maximum consumer benefit in the public interest of all Albertans. To that end we're directing the system operator, the independent system operator, the Alberta electrical system operator to hold a policy roundtable with involved parties. We will also convene the Premier's advisory council on electrical issues, and we're going to develop a transmission policy that maximizes Albertans' benefits.

The Speaker: Hon. members, before I introduce and recognize the

first of seven recognitions today, I guess, might I convey congratulations on behalf of all members to the hon. Member for Olds-Didsbury-Three Hills, who is celebrating a rather significant anniversary today. [interjection] Forty-nine would be rather erroneous, hon. member.

Might we revert briefly as well to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

The Speaker: The hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Thank you, Mr. Speaker. As I look up into the members' gallery this afternoon it behooves me to introduce a special guest, one who is no stranger to this Assembly. In fact, he is the president of PC Youth of Alberta, and I understand that he's in the area to kick start a youth recruitment in a certain Edmonton riding, and I know that any riding he has recruited in in the past has been successful in the provincial elections, so we do wish him well. Could we please ask Blake Robert to stand and receive the warm welcome.

Thank you.

head: **Recognitions**

The Speaker: The hon. Member for Edmonton-Glenora.

Isadore Burstyn

Mr. Hutton: Thank you, Mr. Speaker. I stand today to recognize a great Albertan, a great Jewish Canadian, and a Holocaust survivor, Isadore Burstyn, who spearheaded the construction of the Holocaust memorial just outside this Legislature.

As you all know, yesterday was Holocaust Memorial Day. Izzy was unable to attend the ceremony yesterday because he is over in Poland to commemorate the 60th anniversary of the Warsaw uprising. His daughter Nora Lyman attended the Holocaust memorial on her father's behalf.

I want to pay tribute to this man for his perseverance on having this memorial built. It is important that members and people everywhere remember the atrocities a madman's regime inflicted on the Jewish people. To my friend Izzy Burstyn, l'chaim.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Leaders of Tomorrow Awards

Mr. Johnson: Thank you, Mr. Speaker. I rise to acknowledge the recipients and nominees of the leaders of tomorrow awards in my constituency. These awards are given to young volunteers in four age categories between six and 21 years of age who have demonstrated outstanding dedication and excellence in their community service work.

In the Wetaskiwin area 19 outstanding young people were nominated and given a certificate and an invitation to a reception in their honour. At the reception held in Wetaskiwin on Monday, Megan Krause, Justin McKay, Dylan Weir, and Kristin York were named as the recipients of the 2003 awards.

In the Camrose area out of 14 nominees Carlee Dobos, Brad Field, Renee Burkard, Christina Belsheim, and Breanna Dashney were named as the recipients of the award.

These recipients were given an engraved plaque to recognize their efforts and a \$100 cheque that they contributed to a nonprofit organization of their choice.

Congratulations to all the nominees and award winners for the contributions they have made to our communities and for the important work they do as volunteers. Their leadership today will assure them to be leaders of tomorrow.

The Speaker: The hon. Member for Edmonton-Centre.

Hepatitis C Awareness

Ms Blakeman: Thank you, Mr. Speaker. I'd like to recognize the efforts of the Canadian Hepatitis C Activist Network to convince the Premier of Alberta along with the Minister of Health and Wellness to proclaim the following: whereas hepatitis C is a treatable illness infecting thousands of Albertans and it is a preventable illness that can be effectively beaten through awareness and early detection; whereas the financial cost in terms of family budgets, public health care, and social services along with the intangible costs of mental anguish and unfulfilled potential are costs that are borne by all citizens; and whereas it is in the interests of all citizens to heighten awareness and understanding of problems and programs connected with hep C to reduce stigma and to support research, delivery of treatments, and a cure. Given all of the above, I support the designation of May 2003 as hepatitis awareness month and May 1, 2003, as hepatitis C awareness day, and I urge the Premier and the Minister of Health and Wellness to do the same.

Thank you.

The Speaker: The hon. Member for Red Deer North.

Frank Slide Centennial

Mrs. Jablonski: Thank you, Mr. Speaker. Turtle Mountain, east of the Crowsnest Pass, was known as the Mountain That Walked by the First Nations people who lived in the area. At 4:10 a.m. on April 29, 1903, the mountain walked as 90 million tonnes of rock fell from Turtle Mountain. In 100 seconds people's lives were shattered by an event that changed the Crowsnest Pass and the history of our province forever. At least 70 people in the town of Frank perished in what became known as Canada's deadliest rockslide.

Yesterday our Premier and the ministers of Community Development, Government Services, and Municipal Affairs attended a commemoration ceremony in the town of Frank to honour those who lost their lives and to recognize the courage of the survivors and those involved in rescue operations. In demonstrating the courage, determination, and will to survive that Albertans have become known for, the community of Frank endured the tragedy, rebuilt the schools, homes, and businesses, and restored the town of Frank to its present day.

On behalf of the hon. Member for Livingstone-Macleod I ask all Albertans to join us in remembering this historic, albeit tragic, event as we all prepare and plan for a great future for the brave community of Frank.

The Speaker: The hon. Member for St. Albert.

Octagon Club

Mrs. O'Neill: Thank you, Mr. Speaker. Today I rise in our Legislative Assembly to publicly recognize the Octagon Club of Paul Kane high school and teacher Dale Smith, who in conjunction with the Optimist Club honoured 12 remarkable high school students

from the four high schools in St. Albert. At the 2003 Youth Appreciation Night last Wednesday the following very accomplished young volunteers were honoured by their school administrators, their families, and friends: Brooke Menegozzo, Gabrielle Riches, and Evelyn Ding from Paul Kane high school; Saleena Haworth, Candice Thorpe, and Brent Francis from l'école secondaire Sainte Marguerite d'Youville; Brittney White, Chantel Kinahan, and Catherine Chee from St. Albert Catholic high school; and Nikki Gordey, David Roper, and Jackie Hallet from Bellerose composite high school.

I know the Member for Spruce Grove-Sturgeon-St. Albert would join me in congratulating all of them but especially those three from Bellerose composite high school. It is within his constituency.

Thank you.

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

Portage College Sports and Education Dinners

Mr. Danyluk: Thank you very much, Mr. Speaker. It is an honour for me to recognize Portage College sports and education dinners, which were held in St. Paul and Lac La Biche on April 25 and 26. Lac La Biche sold out within five days with a waiting list, and both events raised over \$65,000 for scholarship trust funds for students in need at Portage College.

We were honoured by having two guest speakers: George Chuvalo, who was the Canadian heavyweight champion for 20 years and who also fought six world champions, and the other guest speaker was Beckie Scott, the pride of Vermilion, who holds both the bronze and silver medals and hopefully the gold in cross-country skiing.

I would like to congratulate all those involved in this third annual event. The successful efforts and commitment shown by these constituents of Lac La Biche-St. Paul who attended will be appreciated by many future students.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Highlands

May Day Movement

Mr. Mason: Thank you very much, Mr. Speaker. By May 1, 1886, over 250,000 workers had joined the May Day movement in the United States and were ever more vocal demanding recognition of workers' rights. Their demand for an eight-hour workday, safer working conditions, and the right to collective bargaining could not be silenced. On May 3, 1886, Chicago police fired into a crowd of striking workers. Four were killed.

Since that time the labour movement in Canada, the United States, and other countries has continuously fought for things like medicare, women's rights, health and safety legislation, free public education, peace, and the protection of children. Here in Edmonton a committee forms yearly to plan a multidisciplinary festival that brings together labour and the arts communities to celebrate and affirm workers' contributions to society.

It is an honour for my colleague for Edmonton-Strathcona and myself on behalf of the New Democrat opposition to take part in the ongoing struggle for justice and democracy in Alberta. It is truly an honour for me to recognize the tireless efforts of the May week organizing community, the labour movement, and all working Albertans.

The Speaker: Hon. members, might we revert briefly once again to Introduction of Guests?

[Unanimous consent granted]

2:40head: Introduction of Guests (reversion)

The Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly Reverend Dr. Bruce Miller, who is the minister for Robertson-Wesley United Church. The reverend is a great advocate for human rights and for the vulnerable here in Edmonton and in Alberta, and he was recently the recipient of the Queen's jubilee medal upon my nomination. I see that he's joined us in the public gallery. I'd ask him to please rise and receive the warm support of the Assembly.

Thank you.

head: Presenting Petitions

The Speaker: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I have the pleasure of presenting a petition signed by 126 grandparents from Calgary who are petitioning this Assembly to "urge the Government of Alberta to make the necessary changes to legislation and enable the grandparents to maintain ongoing contact with their grand-children."

Thank you, Mr. Speaker.

head: Notices of Motions

The Speaker: The hon. Member for Edmonton-Highlands.

Mr. Mason: Thank you very much, Mr. Speaker. Earlier today I provided written notice to your office of my intention to raise a question of privilege in this Assembly later this afternoon involving the decision of the Minister of Human Resources and Employment to boycott a meeting of the Public Accounts Committee this morning as well as the decision of all government members of that committee to not attend.

Thank you.

head: Tabling Returns and Reports

The Speaker: The hon. Minister of Community Development.

Mr. Zwodzesky: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a letter of congratulations to Mr. Fred Bradley, president of the Crownsnest Historical Society, who was so integrally involved in the commemoration ceremonies yesterday which the Premier and myself and the members for Livingstone-Macleod and Fort McMurray attended. So congratulations to the Frank community.

The Speaker: The hon. Minister of Transportation.

Mr. Stelmach: Thank you, Mr. Speaker. I am pleased to rise and table the required number of copies of the response to Motion for a Return 11 regarding the Department of Transportation's policy on its contract management process.

Also, I wish to table the Department of Transportation's contracting and tendering process for both construction and maintenance, also available on our Transportation web site, and the following manuals: Project Administration Manual; Engineering Consultant Guidelines for Highway and Bridge Projects, volume 1: Design and

Tender; and Engineering Consultant Guidelines for Highway and Bridge Projects, volume 2: Construction Contract Administration.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Currie.

Mr. Lord: Thank you, Mr. Speaker. I rise to table the requisite number of copies of three reports on public/private partnerships. The first is a white paper on the subject exploding myths and addressing concerns about P3s; it's called For the Good of the People. The second is a brief on articles available explaining how partnerships work, and the third is a presentation on P3s entitled Why Don't They Understand?

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. I have two tablings today. The first is a letter addressed to the hon. Premier and the Minister of Health and Wellness from Bill Buckels, the secretariat with the Canadian Hepatitis C Activist Network, asking those two individuals to proclaim May as hepatitis C awareness month.

My second tabling is from the same individual, Bill Buckels, in his position as vice-president of HepCURE, Hepatitis C United Resources Exchange, addressed to all Members of the Legislative Assembly asking for us to support the Premier and the minister of health in proclaiming May 2003 hepatitis C awareness month.

Thank you.

The Speaker: The hon. Member for Edmonton-Riverview.

Dr. Taft: Thanks, Mr. Speaker. I have more tablings on education funding, all with permission. A postcard from Antje Espinaco-Virseda opposing having to be desperate and fund-raising through casinos for public education.

The second, with permission, from Pat Stryker, saying, "The Alberta advantage depends on high quality fully funded public education."

The third from Ian Mercer expressing concerns over the Minister of Learning's positions on learning.

Thank you.

The Speaker: The hon. Member for Edmonton-Ellerslie.

Ms Carlson: Thank you, Mr. Speaker. My tabling today is from the Sundre Fish and Game Association and talks about promoting fishing, hunting, and proper management of the resource and its habitat for today and tomorrow.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Speaker. I would like to table five copies of the document I referred to in my question earlier this afternoon in question period, prepared by the Students' Union at the University of Alberta, indicating a 28 percent loss in constant dollars in terms of per student funding for the university and a 20 percent loss at the University of Calgary.

The Speaker: The hon. Member for Edmonton-Highlands.

Mr. Mason: Thank you very much, Mr. Speaker. I'm tabling a document entitled Edmonton Police Service Perspective on Equitable Relationship outlining various provincially mandated services that are costing the municipal service over \$13 million annually.

Privilege

Allegations against a Member

The Speaker: Hon. members, yesterday at the conclusion of this section of the Routine we were dealing with a purported point of privilege raised by the hon. Member for Edmonton-Glenora. We had arrived at a certain point in the proceedings whereby a request was made by the hon. Member for Edmonton-Gold Bar to have this matter delayed one day. I will recognize the hon. Member for Edmonton-Gold Bar in a moment, but as there was a delay for a day, I would first of all ask the hon. Member for Edmonton-Glenora if he has anything further to advise the Assembly with respect to this matter.

Mr. Hutton: Mr. Speaker, all I am asking through you to this member is that he categorically and unconditionally apologize to me for the remarks he made on Monday.

Thank you, Mr. Speaker.

The Speaker: I indicated yesterday that I would recognize a prescribed number of parliamentarians who might want to participate in this point of privilege this afternoon. I did indicate that I would certainly call on the hon. Member for Edmonton-Gold Bar and afford an opportunity to the Government House Leader and the Opposition House Leader and did also ask if there were any additional members that might feel that they are party to this particular proceeding. I did receive the written confirmation of the hon. Member for Spruce Grove-Sturgeon-St. Albert, who felt a participant or named in what was transpiring. At this point in time that's exactly the procedure that I will follow unless motivated a little later with respect to additional members.

Hon. Member for Edmonton-Gold Bar, do you wish to participate?

Mr. MacDonald: Thank you, Mr. Speaker. The issue that must be addressed here is whether certain documents by the Member for Edmonton-Gold Bar had obstructed or interfered with the Member for Edmonton-Glenora's ability to perform his duties or, alternatively, whether the dignity and the authority of the Assembly has been offended. This implies an issue of contempt for the House and/or, in the alternative, an issue of privilege against the member. Given the Speaker's parameters, my arguments will focus on the comments made on Monday regarding the Member for Edmonton-Glenora.

Marleau and Montpetit on page 52 define contempt.

Any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, is referred to as a contempt of the House. Contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a Member, it merely has to have the tendency to produce such results.

Maingot on page 234 states, when referring to an issue of contempt:

It must be shown that the Member was obstructed in his work relating to a proceeding in Parliament and not simply while he was performing his representative duties in his constituency or in other . . . areas . . . nor simply in his private capacity.

It is important to note that my comments were not a question of privilege against the Member for Edmonton-Glenora. This is the reason why I did not notify the Member for Edmonton-Glenora, as some have argued under Standing Order 15(2). This was a question of privilege dealing with a situation of the material being in the precincts of this Assembly. Mr. Speaker, my comments, which are at the heart of this matter, were not about placing blame on or

maligning any individual member of this Assembly, nor was there any intention on my part to obstruct this member in his parliamentary duties. Neither was there any intention to offend the authority or dignity of this House. The objective of my comments were quite to the contrary.

2:50

The hon. member in his statement yesterday said that I accused him of being a hateful bigot. I believe that if you look at what I actually did say, you will find no such reference or no such allegation. The Government House Leader in his comments stated on page 1241 of *Hansard*:

In fact, Mr. Speaker, there has been really no allegation at all against the member other than the fact that he had in his possession a piece of paper which has got vile content.

This shows that my comments were perceived by the Government House Leader as not attaching any individual judgments or allegations to any member of this House. However, this whole issue has developed into something much different than I ever wanted it to and no doubt anything the Member for Edmonton-Glenora ever wanted.

Mr. Speaker, at no time did I allude to the member producing, reproducing, or circulating the material in question. Neither did I attach any judgment statement to the member holding the document. What I said was that I saw him in possession of it. *Hansard* will confirm these facts. I even went as far as to state on page 1240 of *Hansard*: "The member has always been, inside and outside this House, a compliment to this Assembly and this province." These words are far from impugning. I believe that my comments were taken to be something they were not by certain members of this House. I would certainly argue that words which I never uttered are being used against me. For this I am tremendously offended.

I urge you to carefully review what I said during debate on Monday. In *Hansard* you will find that I did not at any time make allegations against another member, impute false or unavowed motives to another member, or use abusive or insulting language of a nature likely to create disorder. What I did state in the House on Monday was the fact that I had witnessed the repugnant material in the possession of the member. I said on page 1239 of *Hansard* that I am raising "a question of privilege regarding certain repugnant materials that have been circulating in the parliamentary precincts." While it is true that I made mention that a member of the government caucus had the material, the statement clearly indicates that I was raising a question of privilege regarding certain repugnant materials that I had witnessed in the parliamentary precincts, not about an individual member.

As Mr. Speaker will certainly know, privilege and contempt do not have to be against another member. They are about the infringements of rights of the House as a whole. One example where a case of privilege was not against a member was on November 19, 2002, when I raised a question of privilege about the use of the term "Legislative Assembly" on government advertisements.

Additionally, I stated on page 1240 of *Hansard* that "I would expect, Mr. Speaker, that you will allow the member that I have named an opportunity to provide justification for his possession of the document." I merely asked that you afford an opportunity to the member to add his comments about my question of privilege and how he came to be in possession of it, so he could simply identify the source. As I have stated both inside and outside this House, I know the Member for Edmonton-Glenora to be an honourable man who would never produce such material.

During my statement on Monday I indicated that the question of privilege I raised was the most difficult thing I had ever done during my years as a member. I raised the question of privilege with great reflection and contemplation. Anyone reading *Hansard* will clearly

see that my comments were focused on the main point and not to bring any case of malice against the Member for Edmonton-Glenora. I urge you, Mr. Speaker, to look at the facts of this issue, to understand my words for what they say, and to not read in allegations that simply aren't there.

In closing, Mr. Speaker, I will make two final points. First, I would like to work with the hon. Member for Edmonton-Glenora and the Government House Leader to combat hate literature. I want to put a stop to this. To that end I will be bringing forward a motion at the appropriate time to establish a committee, co-chaired, hopefully, by myself and the hon. Member for Edmonton-Glenora, to identify and to fight the spread of hate literature not only in this Assembly but across the entire province. Secondly, I am sorry if the Member for Edmonton-Glenora was implicated in this issue, and I truly apologize to him for that, but at the same time I would like to see that I could work together with him in the future to combat hate literature across this province.

In conclusion, Mr. Speaker, this matter is not about the integrity of the Member for Edmonton-Glenora. He is a fine individual and a very good representative in this Assembly. This is about hate literature in this Assembly. I would make every effort to work with this hon. member and the Government House Leader in the future to combat and halt this abhorrent practice.

Thank you.

Mr. Hancock: Mr. Speaker, with the greatest of regret, I was hoping that we would hear this afternoon a full and complete apology for the damage that has been done to the reputation and the name of the Member for Edmonton-Glenora. While I appreciate the words of Edmonton-Gold Bar – and I think all members of the House do appreciate those portions of his participation today which attempted to somewhat mitigate the damage that's been done by referring to the fine character of the Member for Edmonton-Glenora, which we all agree with – what was necessary to purge what I believe is a contempt of this House, not just of the hon. Member for Edmonton-Glenora but all members of this House, was a full and complete apology, and we didn't hear that.

With your permission I'll proceed, then, to argue that there is a prima facie case. If you'll bear with me, I was preparing not to argue it, so I will ask for a little bit of latitude in reorganizing myself. Under *Marleau and Montpetit*, page 86:

The unjust damaging of a Member's good name might also be seen as constituting an obstruction. In ruling on a question of privilege, Speaker Fraser stated: "The privileges of a Member are violated by any action which might impede him or her in the fulfillment of his or her duties and functions. It is obvious that the unjust damaging of a reputation could constitute such an impediment."

Mr. Speaker, it's also apparent from *Erskine May Parliamentary Practice* at page 117.

Indignities offered to the House by words spoken of writings published reflecting on its character or proceedings have been punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them.

Reflections upon Members, the particular individuals not being named or otherwise indicated, are equivalent to reflections on the House.

It is also indicated that

other acts besides words spoken or writings published . . . though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts.

Beauchesne's Parliamentary Rules & Forms, citation 64, and I

quoted this on Monday: “The House has occasionally taken notice of attacks on individual Members.”

3:00

Mr. Speaker, I refer you also to Standing Orders 23(h), “makes allegations against another member,” and (i), “imputes false or unavowed motives to another member.”

Then, Mr. Speaker, I would go to *Hansard*. On page 1239, issue 35, Monday afternoon, April 28, the Speaker, yourself, prior to hearing the presentation from Edmonton-Gold Bar on the purported question of privilege that he had raised, admonished members of the House, admonished the Member for Edmonton-Gold Bar.

Before the hon. member commences with his purported question of privilege, the chair wants to caution the member and all members who wish to participate in this debate about imputing false or unavowed motives to another member or making allegations against another member. This is prohibited under Standing Orders 23(h) and (i), and in short the chair will not tolerate any allegations impugning the reputation or motives of a member.

Then you referred members to chapter 3 of *Marleau and Montpetit*. Immediately thereafter the Member for Edmonton-Gold Bar rose in his place and precisely did what you had just admonished him not to do.

Now, in bringing forward his statement today – and he may well have been trying to correct that error, and if he was doing so, I appreciate that, but I don’t think he completed it – he tried to suggest that he did not say anything about the Member for Edmonton-Glenora, that his true purpose was to raise the issue in the House, and I wish he had done just that. I wish that in his statement today he had made it clear, but he did not.

He indicated in his remarks on Monday, “I witnessed this inappropriate material in the possession of the Member for Edmonton-Glenora while in the Chamber at 5:08 p.m. on Thursday, April 24.” By making that statement, he has now connected imputed motive to the Member for Edmonton-Glenora. He didn’t need to do that to raise the issue of offensive material in the House. He did not need to make that statement. He did not need to mention any member of this House.

I quote from page 1240 of *Hansard* where he also indicated:

It is most inappropriate for hate propaganda to be floating around in this Assembly and in the parliamentary precincts, and it is most inappropriate for a member of this Assembly

And I stop the quote there, Mr. Speaker, to remind you that he had previously named the member of the Assembly.

to have possession of the same.

He then goes on to say:

Freedom of expression and speech does not give members the right to be hateful.

There can be no other interpretation than he was imputing motives and making allegations against a member. So to say today that he in no way impugned the integrity of the member is nonsense. He may not have specifically called the member a hateful bigot, but that was the clear interpretation that any reasonable person would take from the words that he made.

Now, he indicated today: I did not raise this question of privilege to deal with the possession of this document by a member in the Assembly. That was clear on the face of it, and then he went on to quote myself and my comments to say that no allegation was made. I was indicating that at the time he had not specifically made an allegation that the Member for Edmonton-Glenora had circulated the documents, but certainly in the context of his remarks he was imputing motives to the member because he in his remarks named the member and then went on to indicate that the document that the member had in his possession should not be circulated in the House, and there’s no other clear interpretation of this.

Now, Mr. Speaker, I think it’s clear. I think it’s unequivocal. Whether the language directly makes a comment about an individual member or not, the language clearly brought the Member for Edmonton-Glenora into the context of the hate literature and into the context that the hate literature, as described by the Member for Edmonton-Gold Bar, ought not to be circulated in this House or floating around. There can be no separation or disassociation of those comments at a later date other than by a complete, unequivocal apology to Edmonton-Glenora, which he could have done and still maintained the point that I believe he was actually trying to make, which was that none of us ought to agree with documents of a vile nature. But that’s not the issue now. The issue now is if there was contempt and whether he’s purged that, and I do not believe that he has by that statement.

Mr. Speaker, this question goes even further than that, in fact, because as a result of the point of privilege being raised and as a result of the statements being made, there was discussion in this House. In the debate in this House with the presentations of various members, interventions by various members on the point of privilege it became apparent to the House, I believe, that the contempt was even further than the actual statements against Edmonton-Glenora. The contempt was that people were not respecting the privileges of members by reading documents that they had in their possession, and that’s inappropriate. We are all entitled to have documents in our possession and on our desks, and we’re entitled to do our work. People have the ability to move around this House freely when we’re in committee and sit at each other’s desks. Even sitting at someone’s desk does not give me the right to read what they have on their desk. That’s their information.

I take it one step further, Mr. Speaker. The hon. Member for Edmonton-Gold Bar today suggests that there ought to be a committee to review I don’t know what. Again, I respect the member for what I believe he was trying to do, which was to deal with what he felt was an inappropriate document, but I would repeat again what I said earlier in this House, that all of us receive materials, submissions – call them what you will – from constituents, from Albertans and, in fact, from other parts of the country. Some of the stuff that we receive is not very nice. We are elected here to be representatives of Alberta, and I presume that our constituents imbue us with the confidence that we will know the difference between appropriate submissions to legislators to encourage the debate on public policy and those things which should be treated as the garbage that they are. But we as legislators, we as citizens have the right to look at what our constituents send us and to make that determination, not some committee, not somebody else.

It is the essence of our privileges in this House to have the freedom of speech to be able to receive material, discuss it if we wish with someone else. Who knows what the contents of that discussion might be. One is not entitled to ask what I was discussing with one of my colleagues, on what point, whether I was discussing because I was in agreement, whether I was discussing because I was in disagreement, whether I was discussing because I couldn’t believe the foul nature of what somebody had sent me. All of that is within my purview as a member and in my purview as a citizen to discuss with other people.

I understand why the member brought the point of privilege, but there was a clear admonition from you, Mr. Speaker, at the beginning not to impugn motives, not to violate 23(h) and (i). Clearly, it couldn’t have been clearer that if a person wanted to raise a question of privilege about a document, that’s within their right to raise, but they ought not do it in a manner which so clearly draws into question the character of another member, if not directly stating, clearly suggesting that a member of this House and a member who was

named was not just holding a document but was holding it with intent to do something with it. I think that's clear on the face of it.

I think that there's a prima facie case of privilege. I don't think the member has helped his case by participating in a discussion rather than doing the right thing and standing and simply apologizing. All that was required was that he simply stand, clarify that his intent was to deal with the document, and then apologize. That was not what I heard. I would ask you to find a prima facie case and allow us to move a motion to refer it to committee.

3:10

The Speaker: Hon. Opposition House Leader, do you choose to participate?

Ms Carlson: Yes. Thank you, Mr. Speaker. I don't know how much more complete and unequivocal an apology can be than what we heard from this member when he says that he's sorry if the member under discussion was implicated in this matter, when he says that he is sorry for any of the ramifications that might have occurred here, when he says once again, not for the first time and not just inside this House, that he has the greatest respect for this member and his abilities and his ability to represent his constituency.

The topic under discussion here is a very serious topic. It is a topic of hate literature. It is a topic that had been in discussion with yourself and the Member for Edmonton-Gold Bar for 10 days prior to the Member for Edmonton-Glenora having it in his possession. In that letter that you sent to the Member for Edmonton-Gold Bar you not only talked about the seriousness of the piece of material that's under discussion, but you CCed that letter to House leaders of all parties and to the Sergeant-at-Arms and to the Clerk. The expectation then is that House leaders have a responsibility to share that information with their caucuses so that people know what is construed and what is an example of, if they don't understand it when they first see it, hate literature.

When we know that we have hate literature floating around this Legislative Assembly not for one day or for two days but for at this point in time 10 days, then we also have some responsibility to speak to why we have it in our possession. That is in fact what the Member for Edmonton-Gold Bar asked for when he talked about it. He stated that it was in the possession of the Member for Edmonton-Glenora, which the Member for Edmonton-Glenora agreed was the case. The Member for Edmonton-Gold Bar then asked for an explanation for that, and at that time the Government House Leader said that that in itself doesn't constitute a privilege. That is as far as the Member for Edmonton-Gold Bar went. He asked for an explanation. That other interpretations were made of that outside of this House in media reports or anywhere else is taking and really creating an allegation.

For this Member for Edmonton-Gold Bar to not have an apology accepted and to not be able to bring forward an issue about hate literature and how it is managed and handled within the precincts of this Assembly is a very grave concern. I think that it really impinges on our ability for freedom of speech in this Legislature. If we look at *Marleau and Montpetit*, which is who we usually go to for referencing in this particular Assembly, it speaks very strongly that the freedom to make allegations which the member genuinely believes at the time to be true or at least worthy of investigation is fundamental.

So what do we have here? We have a situation where the Member for Edmonton-Gold Bar genuinely believes that there is a problem that the Member for Edmonton-Glenora has had access to the same information that House leaders have had, that the Speaker has had, that the Sergeant-at-Arms has had, that the Clerk has had, and that

what he asked for, then, is not an investigation but a report, just a report from the Member for Edmonton-Glenora in terms of why he has the material. That was the beginning and the end of it in terms of Edmonton-Glenora.

Throughout that process when I read what the Member for Edmonton-Gold Bar had said, I felt that made it clear that he spoke highly of this particular member, and he wanted to know why he had it in possession and, more widely based, why it was still circulating in this Legislative Assembly while there had been an investigation ongoing about the origin of this paper. Everybody should have been made aware in this Assembly that this was a piece of information that, in your own words, Mr. Speaker, should not be in the precincts of the Assembly, the grounds, or the Annex, that it was "certainly inappropriate material." So this is where this went.

That it took on a life of its own is very regrettable on all sides; there is absolutely no doubt about that. The Member for Edmonton-Gold Bar cannot be held responsible for interpretations made by peoples or groups or companies or media outside of this Assembly. In this Assembly today he has asked members for their acceptance of his statement that he was sorry that the Member for Edmonton-Glenora was implicated and that he apologized. Now, what else can you ask for from a person when you're talking about such a serious issue?

If this Assembly wishes to stifle anybody's ability to participate in freedom of speech, then to find a contempt in this particular matter would be the process to follow. I do not believe that there is a contempt. I believe that this apology should be accepted and that we should deal with hate literature in the manner in which people of this province expect us to conduct ourselves.

The Speaker: The chair had indicated earlier that he was prepared to recognize the hon. Member for Spruce Grove-Sturgeon-St. Albert. Does the hon. member wish to proceed?

Mr. Horner: Yes, I do. Thank you, Mr. Speaker. I may have to check the Blues, but I did not hear the member apologize for dragging our colleague the Member for Edmonton-Glenora into this in the first place.

I would like to rise to speak to the hon. Member for Edmonton-Glenora's question of privilege arising from the debate in this House concerning an allegation made by the Member for Edmonton-Gold Bar. I rise, Mr. Speaker, because I was also indicated in this allegation by the Member for Edmonton-Riverview. It is necessary to give a brief description of the situation which gave rise to the serious allegations and to show the reasons why I believe a prima facie case of privilege exists.

It was during a time when the Member for Edmonton-Glenora had come to sit beside me in this House during Committee of the Whole, which is an accepted practice under our rules. The intent of the member when he came to sit beside me was to discuss a subject of mutual interest to both of us, that of troubled youth and ways we might be able to help them: community conferencing, Clean Scene, AADAC, and a number of other issues.

Mr. Speaker, the piece of paper which the Member for Edmonton-Gold Bar has cited in previous debate was on the desks in front of us. We did not discuss it. If memory serves, it ended up in the trash before the hon. member returned to his seat in this House. It's important for me to relay this to the House for several reasons; they relate to the current issue at hand. It relates for two important reasons. One, has what has been brought forward by the Member for Edmonton-Gold Bar impinged upon the ability of the hon. Member for Edmonton-Glenora to do his job properly?

As to section 69 of *Beauchesne's*, Mr. Speaker, we are representa-

tives of a broad spectrum of peoples in this great province. We in this Assembly must be above reproach in all that we do inasmuch as is humanly possible. We have led our lives and try to lead our lives in an honourable fashion, and we have strived to be fair to all members of our constituency. The perception of this is as important as the reality. If it is perceived that this is not the case, that we are not fair and equitable to all members of our constituency, then we are indeed at a point where our abilities to represent those constituents are impaired and obstructed.

The Member for Edmonton-Gold Bar presented a document to this House, a document that was described by him as hate literature. Then this same member gave the impression through innuendo to this House in *Hansard*, Mr. Speaker, for all to see and hear, that the hon. Member for Edmonton-Glenora somehow agreed with the sentiments of this document, possibly even distributed it. I refer to *Hansard* page 1239, the hon. Member for Edmonton-Gold Bar.

... on a question of privilege regarding certain repugnant materials that have been circulating in the parliamentary precincts and which have been in the possession of a certain member...

He goes on to name the Member for Edmonton-Glenora.

... of the government caucus while that member was present in the House.

On page 1240 of *Hansard*: he raises this question of privilege to deal with the possession of this document by a member of this Assembly in this very Chamber... I would expect, Mr. Speaker, that you will allow the member that I have named an opportunity to provide justification for his possession of the document.

On page 1243 of *Hansard* of the same day, April 28, 2003, the hon. Member for Edmonton-Riverview is speaking, and he points out:

But for point of clarification what the three of us clearly saw was the Member for Edmonton-Glenora sharing this document with the Member for Spruce Grove-Sturgeon-St. Albert, and at that point – and goodness knows, as much as anybody here I hope that there's an innocent explanation – it appeared to us that there was in fact the circulation of this document among the members of the Assembly, and as a result of that there was a breach of privilege.

3:20

Mr. Speaker, by your own comments you stated that the Member for Edmonton-Gold Bar had brought this issue of a document forward for investigation. It was investigated and it was dealt with by your good offices. This started on the 16th of April, a number of days ago, yet the member continued to bring forward an accusation in the form of a question of privilege against the hon. Member for Edmonton-Glenora.

I would like to expand a little bit further on what our Government House Leader said through the *House of Commons Procedure and Practice*. It's very clear as to the serious nature of a question of privilege, and it is a grave insult to the practice to bring spurious intervention to this House. Chapter 3, page 86, the second paragraph of the book states:

The unjust damaging of a Member's good name might also be seen as constituting an obstruction. In ruling on a question of privilege, Speaker Fraser stated: "The privileges of a member are violated by any action which might impede him or her in the fulfillment of his or her duties and functions. It is obvious that the unjust damaging of a reputation could constitute such an impediment. The normal course of a Member who felt himself or herself to be defamed would be the same as that available to any other citizen, recourse to the courts under the laws of defamation with the possibility of damages to substitute for the harm that might be done. However, should the alleged defamation take place on the floor of the House, this recourse is not available."

Mr. Speaker, you have stated many times in this House that imputing motives to another member is a very, very serious matter.

The second reason my story relates, Mr. Speaker, is that obstruction can happen in other ways. It can also be through surveillance of the member, which could impede the ability of the member to perform his duties in this House. The Member for Edmonton-Gold Bar made it very clear in his statements Monday that not only did he covertly look at documents in the Member for Edmonton-Glenora's possession, but he also convinced his colleagues to make a determined effort to review the contents of my desk and documents in the possession of the hon. Member for Edmonton-Glenora.

Mr. Speaker, again from the *House of Commons Procedure and Practice*, chapter 3, in a ruling by Speaker Francis on February 20, '84:

an action which amounts to a form of intimidation does not need to be directed at the Member in person in order to constitute an offence... of privilege.

Beauchesne's 96 states:

The privacy which surrounds Members' office files also extends to computer-based data in the equipment used by Members. That confidentiality must be respect.

That's from *Debates*, February 9, 1988.

Mr. Speaker, while we are in the House, it could be said that these desks are our offices. We do a good deal of work in this House, and the privacy of our documents should be respected regardless of their content. The Member for Edmonton-Gold Bar has made it very difficult for all members of this House to continue to perform our duties in the House because we will be under the threat of documents on our desk being discussed in *Hansard* by this member wandering by in the Committee of the Whole, truly an intimidating prospect.

In summary, Mr. Speaker, I believe strongly that a prima facie case of privilege has occurred for not one but three reasons. First, the Member for Edmonton-Gold Bar has wasted the time of this House by bringing forward an obviously spurious point of privilege against a member of this House with what I would argue is malicious intent. And I said "malicious intent." Second, the Member for Edmonton-Gold Bar, I argue, has intentionally defamed a member of this House and, by association, several others including myself.

I said "intent" because in order to determine this, we should look at what was the intent the member had in mind. Did the member investigate this accusation before making it? Did he really believe that the hon. Member for Edmonton-Glenora was agreeable to the literature involved? No. Did he stop on his way by our desks to ask what we thought of the contents of the piece of paper? No, Mr. Speaker, he did not. Did the Member for Edmonton-Gold Bar look into the character of the member he was about to defame to see if that member might fit that type of characterization? No, Mr. Speaker, he did not.

The Member for Edmonton-Glenora has worked hard to be respected for his support of our multicultural heritage in this province. The hon. Member for Edmonton-Glenora has worked hard to be known in this province for his fight against FAS, fetal alcohol syndrome. The Member for Edmonton-Glenora has worked hard to be known in this province for his wide support and fund-raising for a wide number of charities through his athletic ability.

Mr. Speaker, 20 years of hard work to build trust, respect, and service are all wiped away in one afternoon for the political interests and malicious innuendo of another member of this House. Did the Member for Edmonton-Gold Bar look into the character and the integrity of the member he was about to accuse? I think not. The fact that the Member for Edmonton-Gold Bar did none of this investigation proves, in my opinion, that the intent was malicious, and it was an attack on a member of this House. All of these terrible charges against the Member for Edmonton-Glenora have seriously

damaged his ability to face the multicultural constituents he represents. Obstruction? Intimidation? Definitely, in my view.

Thirdly and lastly, Mr. Speaker, the Member for Edmonton-Gold Bar has broken the respect we all hold for this House. He has broken the respect of privacy when we are in this House by clandestine snooping, for lack of a better word, on the privacy of our desks. The intimidating factor of this is very serious to all members on their ability to function in this House. This wasn't a case of: oh, I just happened to be walking by and noticed. No. This was a deliberate attempt to discover the contents of a document on another member's desk without his permission, in and of itself a strong argument for a prima facie case of privilege. Had he asked, we would have shown him the document. We would have told him exactly what we thought of it. He chose not to. He didn't want the truth. He chose instead to elicit the help of his colleagues to do exactly the same thing he did, a shameful thing in its own right.

Mr. Speaker, I cite a serious breach of our Standing Order 23(h) and (i) and *Beauchesne* 69 and 96 with not one but three reasons why this member is being called on a point of privilege. In my opinion there is a prima facie case of privilege.

Thank you, Mr. Speaker.

The Speaker: Would there be additional members who might wish to participate? The hon. Member for Edmonton-Gold Bar has already participated. Additional members? No further ones then?

The chair is prepared to rule on the purported question of privilege raised by the Member for Edmonton-Glenora yesterday concerning the comments made by the Member for Edmonton-Gold Bar.

First, notice of the purported question of privilege was given by the Member for Edmonton-Glenora on the evening of Monday, April 28, found at page 1259 of *Hansard*. The member also provided written notice to the Speaker's office yesterday morning of his intention to raise a question of privilege. Accordingly, the notice requirements of Standing Order 15(2) and (5) have been met. The chair finds that this matter was raised in a timely fashion.

The subject of the purported question of privilege arises from the Member for Edmonton-Gold Bar's comments made on Monday at pages 1239 and 1240 of *Hansard*. In essence the Member for Edmonton-Gold Bar's purported question of privilege was that the presence of a document in the possession of the Member for Edmonton-Glenora constituted a contempt of the Assembly. The chair does not intend to discuss the contents of the document, which is generally agreed to be objectionable. At pages 1243 and 1244 of *Hansard* for that day the chair held that there was no prima facie case of privilege.

The chair wants to note that the hon. Member for Edmonton-Glenora had no advance notice of the nature of the purported question of privilege. Nevertheless, he chose to have the matter decided on Monday. At page 1241 of *Hansard* he indicated that he found the document "repugnant and offensive." He said that "what I did with that document was throw it in the trash." Despite the hon. member's uncontroverted statement there was no apology or retraction from the Member for Edmonton-Gold Bar.

In raising his question of privilege yesterday, the Member for Edmonton-Glenora argued that he felt "intimidated and harassed" by the Member for Edmonton-Gold Bar's comments. By extension he was arguing that the words constituted an improper obstruction to him performing his parliamentary work, which is part of the classic test for a breach of privilege found at page 14 of Joseph Maingot's *Parliamentary Privilege in Canada*, second edition.

Members may recall that on Monday afternoon prior to hearing the question of privilege from the Member for Edmonton-Gold Bar,

the chair specifically warned members from making "any allegations impugning the reputation or motives of a member," yet here we are.

3:30

Members may recall recent incidents involving unparliamentary language of such a nature that have given rise to a purported question of privilege. The chair refers to rulings on May 28, 2001, at page 806 of *Hansard* and April 17, 2002, at pages 762 and 763 of *Hansard*. In both those rulings the chair quoted *Maingot* where he says the following at page 254:

Language spoken during a parliamentary proceeding that impugns the integrity of Members would be unparliamentary and a breach of order contrary to the Standing Orders, but not a breach of privilege.

On April 17, 2002, although there was not a prima facie case of privilege, the Leader of the Official Opposition apologized, and the Deputy Premier accepted the apology.

It is true that *Marleau and Montpetit* state at page 86 that "the unjust damaging of a Member's good name might also be seen as constituting an obstruction." The example they give is from a May 5, 1987, ruling by Speaker Fraser of the Canadian House of Commons where he ruled that the hon. Otto Jelinek's ability to function as a member had not been impaired by certain allegations involving conflict of interest.

The difficulty in this case is that if one dissects the comments from the Member for Edmonton-Gold Bar, there is not a specific phrase that is particularly unparliamentary. He accuses the Member for Edmonton-Glenora by association with the document. He states at page 1240 of *Hansard* for April 28, 2003:

It is most inappropriate for hate propaganda to be floating around in this Assembly and in the parliamentary precincts, and it is most inappropriate for a member of this Assembly to have possession of the same. Freedom of expression and speech does not give members the right to be hateful.

It appears to the chair that the Member for Edmonton-Glenora's case really relates to the Member for Edmonton-Gold Bar's entire purported question of privilege, which the chair found not to be a prima facie question of privilege and expressed regret about it even being brought up. Frankly, the chair found the innuendo odious.

Although the Member for Edmonton-Gold Bar did not directly say so, the conclusion one could draw from his purported question of privilege is that the Member for Edmonton-Glenora was in some fashion promoting discrimination. Despite the fact that any such notions were put to rest by the Member for Edmonton-Glenora, there was no apology forthcoming. Although the Member for Edmonton-Glenora has unmistakably clarified the record, the fact that he had to even address the issue is a matter of grave concern.

There are few allegations that could be made against a member that could be more damaging than that he or she was promoting or condoning discrimination. As the chair has said over and over again, freedom of speech carries with it great responsibility. The events on Monday bring no honour to this Assembly, which is extremely regrettable not just for the chair but for each and every member of this Assembly.

The chair will give the hon. Member for Edmonton-Gold Bar one more chance to do the honourable thing and do a thorough apology.

Mr. MacDonald: Mr. Speaker, earlier in my remarks I apologized to the hon. Member for Edmonton-Glenora. I thought that was clear, and I'm very sorry that he was implicated in this matter, and that was also very clear. Okay? [interjections] I withdraw any remarks that I made that in any way, shape, or form impugned the character of the Member for Edmonton-Glenora, and I apologize.

The Speaker: Hon. members, as the chair did on April 17, 2002, at

page 763 of *Hansard*, the chair will quote from Speaker Schumacher's September 23, 1993, ruling where he talked about what constitutes an apology.

If a member intends to apologize for and withdraw any remark, whether as a result of a point of order or a question of privilege, the apology should be sincere and the withdrawal unequivocal.

In light of this, is the apology offered by the Member for Edmonton-Gold Bar acceptable to the Member for Edmonton-Glenora?

Mr. Hutton: Mr. Speaker, I truly want to accept the apology of this hon. member today, but what I heard was reference to earlier statements and a form of a retraction. That is not an unconditional apology, and that is what I require.

Thank you, Mr. Speaker.

The Speaker: All right. Then we shall proceed.

The chair finds that this is a very unusual situation where the incident that gave rise to this question of privilege was one member complaining about documents in another member's possession. While the chair is not implying in the least any agreement to the document that was the subject of Monday's question of privilege, the chair does not condone censorship in terms of what members read. It is beyond dispute, in the chair's mind, that the mere possession of a document hardly constitutes agreement or approval, yet this is precisely the impression left by the Member for Edmonton-Gold Bar's comments on April 28, 2003.

As the chair has commented, there are few allegations that can be more detrimental to a member's reputation than one of promoting or condoning discrimination. Furthermore, these allegations against the Member for Edmonton-Glenora have done nothing to raise the esteem of this Assembly in the eyes of the public. The distinguishing feature of this question is that it's difficult to find a precise unparliamentary expression. It is the innuendo left by the entire speech. The chair finds it appropriate to quote from *Maingot* at page 227, where the following reference is made to the report of the United Kingdom Select Committee on Parliamentary Privileges.

In the final analysis, in areas of doubt, the Speaker asks simply:

Does the act complained of appear at first sight to be a breach of privilege . . . or to put it shortly, has the Member an arguable point? If the Speaker feels any doubt on the question, he should . . . leave it to the House.

This is the situation the chair finds itself in.

Accordingly, the chair finds that there is a prima facie question of privilege. It is up to the members of the Assembly to determine whether a case of privilege is ultimately made out. Under Standing Order 15(6) any member may give notice of a motion not later than at the conclusion of the next sitting day. The chair would strongly encourage members to examine the traditions surrounding these motions.

Furthermore, the chair would ask all members to respect the process for addressing these matters in the House. It would be in keeping with parliamentary traditions and the respect owed this institution for comments to be made in this Assembly and its committees rather than outside it.

Mr. Hancock: Mr. Speaker, in light of your ruling I believe it would be in order to give notice to the House of intention to move a motion to refer this matter to the Committee on Privileges and Elections, Standing Orders and Printing to determine whether there was a breach of privilege and what appropriate action ought to be taken.

The Speaker: Notice has been given.

The hon. Member for Edmonton-Highlands.

Privilege

Contempt of the Assembly

Mr. Mason: Thank you very much, Mr. Speaker. I'm rising on this second question of privilege today pursuant to section 15 of our Standing Orders. In doing so, I'm asking you to rule that the actions taken this morning by the Minister of Human Resources and Employment as well as government members of the Public Accounts Committee constituted a prima facie breach of privilege of the Assembly and of my rights as an individual member.

This morning at the Public Accounts Committee of the Legislature all 13 members of the government caucus were absent from the committee. Also absent was the witness that was scheduled to appear before the committee this morning, the Minister of Human Resources and Employment. Section 53(4) of our Standing Orders states that a quorum for a standing or special committee is one-third of the members. With only four of the 17 members present, by definition the Public Accounts Committee lacked a quorum and could not proceed with this morning's meeting.

3:40

The Public Accounts Committee is established according to section 49(1)(b) of our Standing Orders, and section 50 states that "public accounts, when tabled, stand referred to the Public Accounts Committee." Public Accounts is a critical committee of this Legislature responsible for oversight of the financial affairs of the government. It is the only standing committee of this Legislature chaired by a member of the opposition. It is charged with the responsibility of providing oversight of the expenditure of public funds, and it is the only forum that we as members of the Assembly have to ask ministers and senior officials detailed questions about their annual reports as well as the audited financial statements of their ministries. As such, Mr. Speaker, it is a key, fundamental committee of this Assembly and of the legislative branch with oversight over the use of public funds by the executive branch.

The scheduling of government ministers as witnesses to appear before the Public Accounts Committee is done months in advance. Ministers appear before the Public Accounts Committee at most once per year. I am aware that committees of this Legislature are responsible for governing their own affairs. I would have raised the matter of the nonattendance of the Minister of Human Resources and Employment at the committee except that with no government members present, it was not possible for the committee to meet or take any decisions. Moreover, in making my decision to raise this matter in the whole House, I was also guided by our Standing Orders, section 62(3), which states that any question of privilege or disorder should be reported to the Assembly if it is sitting. So that is why I believe I have acted appropriately by bringing this matter to your attention and the Assembly's attention at the earliest opportunity.

Mr. Speaker, I point to *Maingot's Parliamentary Privilege in Canada*, second edition, where it says on page 14 that the House of Commons and its members have certain enumerated rights and immunities. In the event that a situation arises that attacks or disregards these rights and immunities, the House may treat this as a breach of its privileges. *Maingot* continues:

The Senate and House of Commons have the power or right to punish actions that, while not appearing to be breaches of any specific privilege, are offences against their authority or dignity . . . Such actions, though often called "breaches of privilege," should more properly be considered "contempts."

Maingot states on page 193:

Nor is it necessary that there should have been a breach of one of the privileges enjoyed, collectively or individually, by either House:

anything done or omitted that may fall within the definition of contempt . . . even if there is no precedent, may be punished.

I next wish to address whether the minister's nonattendance could be considered a contempt of the Assembly. Chapter 4 of the House of Commons *Précis of Procedure* states:

Thus, for example, the refusal of a witness to appear or to testify when summoned before a committee of the House could be regarded as a contempt.

Clearly, the Minister of Human Resources and Employment was scheduled well in advance to appear as a witness before the Public Accounts Committee. The minister's decision to not attend was therefore, in my view, a contempt of the Assembly.

Mr. Speaker, while I must be careful not to attribute motives to either the minister, who failed to attend, or all government members, who simultaneously failed to attend, I cannot say directly whether or not this action was related to the privilege question involving the chair of the Public Accounts Committee, who is the Member for Edmonton-Gold Bar. However, the Premier has indicated today publicly that the government members boycotted the Public Accounts meeting because they were mad at its chair for accusing one of their colleagues of being a bigot. He said, and I quote: when you get mad, you sometimes throw a few water buckets.

Mr. Speaker, clearly, if the government members do not attend this committee, this committee cannot meet, and therefore this has in my view very long, far-reaching potential to cause problems. As the committee that is established to oversee government accounts and to deal with the Auditor General's reports, this committee is fundamental to the oversight by this Assembly of the operations of government and particularly its expenditure of public funds. That means that the government caucus if it chooses to boycott the committee can effectively prevent it from ever meeting at all or can prevent it from meeting in any given particular circumstance when a particular ministry is under scrutiny. So it has significant importance, and we take this matter to be a very serious one. Similarly, if ministers are allowed to absent themselves on some pretext, they can then be permitted to escape the scrutiny of this Assembly as delegated to the Public Accounts Committee. In both cases this is a fundamental issue relative to the power of this Assembly to have oversight on the expenditure of public dollars by the government, so we believe that it's a grave and most serious issue.

I would say that the question of privilege had not been decided this morning. It's not finally decided yet, but you, Mr. Speaker, had not even ruled on the matter at the time that this boycott of the Public Accounts Committee took place. I was prepared to question the minister on his ministry's activities. This ministry spends I believe in excess of a billion dollars of public funds and is responsible for programs of vital interest to my constituents. I have many people in the constituency of Edmonton-Highlands who are in one way or another dependent on programs offered through this ministry, and I'm sure other members are in the same position.

Mr. Speaker, the nonattendance of the minister and the nonmeeting of the Public Accounts Committee I believe has interfered not just with individual members' rights and my individual member's rights but with the rights of the Assembly as a whole. Apparently, in conversation with the chairman and the clerk notice was received just a very few minutes before the beginning of the meeting that the minister would not be in attendance, and it took a call from the clerk to the deputy chair of the committee some minutes after the meeting was supposed to have been called to order, who indicated to her that no government members would be in attendance. *Hansard* staff were called in for this meeting. The Auditor General's staff were there. The committee staff were there and all prepared to do work and will have to be paid for their attendance at the meeting. So there

are costs and inconveniences to people beyond individual members.

I would say in conclusion that the actions of the minister and his government colleagues who sit on the Public Accounts Committee have interfered with my ability to do my job as a member and that of the Assembly as a whole. Mr. Speaker, the political games that are being played in this Assembly have now begun to seriously affect the work of this Assembly. It's time, in our view, that they stop. If you are prepared to rule that a prima facie breach of privilege both to myself and to members of the Assembly as a whole has occurred, then I am prepared to move a motion that will offer a remedy to the matter.

Thank you, Mr. Speaker.

3:50

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. While the circumstances that hon. member has outlined are clearly an important issue for members and for the House, they do not constitute a point of privilege or a breach of the member's privileges. I do thank the member for having provided notice of his intention to bring this forward earlier so that one might prepare for it.

I think that it ought to be clear from, again, *Marleau and Montpetit*, on page 128.

Since the House has not given its committees the power to punish any misconduct, breach of privilege, or contempt directly, committees cannot decide such matters; they can only report them to the House. Only the House can decide if an offence has been committed. Speakers have consistently ruled that, except in the most extreme situations, they will only hear questions of privilege arising from committee proceedings upon presentation of a report from the committee which directly deals with the matter and not as a question of privilege raised by an individual Member.

So, clearly, what we have here is an individual member raising a question of privilege. The appropriate procedure, in my humble submission, would be for the member to take his concern to the committee when next it meets or when it's called specifically to deal with that, and if the committee doesn't meet, for the chairman of the committee to then report back to the House that he is having trouble getting the committee to meet and ask the House to deal with that matter. That would be the appropriate way to deal with this matter.

Beauchesne's 107, "Breaches of privilege in committee may be dealt with only by the House itself on report from the committee." So it's clear that an individual member of a committee cannot bring a question of a breach of privilege in the committee to the House on his own motion. It must be through the committee, and as I say, one would assume that if the committee cannot do it, then it would be at the behest of the chair to bring it to the House to indicate that he can't call the committee together.

However, I would take it a little bit further. The committee itself did not meet today. It didn't have quorum. It wasn't called to order. So if there was any question about the minister who had been designated to appear not appearing before the committee, I would submit that there was no committee for him to appear before and therefore he cannot be held in contempt.

An Hon. Member: That's a circular argument.

Mr. Hancock: No. It's not a circular argument. It's a very important argument. The committee ought to have been called to order, and if it can't meet for some reason . . . [interjection] So there's no breach of privilege re the minister not attending, regardless of why he didn't attend, because there was no committee to attend. As to government members attending, each member is responsible for his

or her own actions, but failing or refusing to attend a meeting is not a breach of privilege.

I would indicate to you, Mr. Speaker, that if it's a breach of privilege not to attend a committee meeting, it is certainly a breach of privilege not to attend the House, and I recall on a certain occasion when a whole group of members left the House in protest for a certain action. Whether or not you agreed with their action, nobody suggests that they breached the privilege of members of the House by not attending the House. There are rules with respect to that, but if a member or a number of members don't attend the committee, that's not a breach of privilege.

In any event, the committee is in complete charge of its own affairs as per *Beauchesne's* 760, page 222.

(1) Committees are . . . creatures of the House. The Standing Orders of the House of Commons apply to committees, so far as they may be applicable, with certain exceptions. . .

(3) The Speaker has ruled on many occasions that it is not competent for the Speaker to exercise procedural control over the committees. Committees are and must remain masters of their own procedure. . .

(4) On one occasion, after a grievance was raised in the House concerning procedure in a committee, the Speaker undertook to write to all committee chairmen pointing out that when a grievance is not resolved satisfactorily in committee it often results in time of the House being taken when the grievance is raised in the guise of a question of privilege.

I do take this very seriously. Obviously, the Standing Committee on Public Accounts must meet and must do its job, and there's no suggestion that it won't continue to meet. But if it does not continue to meet for some reason, then the appropriate procedure is for the chairman of the committee to come to the House, advise the House that the committee can't meet, because it doesn't get quorum, and ask the House to provide a solution. That's one thing to do. The chair of the committee can at any time call a meeting of the committee in the appropriate manner, and if people do attend, then the committee is functioning, and it then will have the option or the obligation to deal with any of the issues which might be before it as to why members may or may not be there, as to why witnesses may or may not attend. Those are issues for the committee when called to deal with, and I think the rules are clear both in *Marleau and Montpetit* and in *Beauchesne's* that if the committee cannot deal with its event, then its option is to report to the House, at which time the House can deal with it.

The Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. I've listened with close attention to the argument brought forward by the Member for Edmonton-Highlands – and thank you for doing that – and to the response from the Government House Leader. I think that what I can do is offer my observations as a member who was at the meeting in the morning and I believe the longest sitting member of the current committee.

As I try and work my way through the arguments that are offered, I note the argument offered by the House leader that the committee should bring its concerns forward to the larger Assembly, but a majority of the committee's members are members of the government caucus, and when the government caucus makes a choice not to appear, the committee cannot assemble itself, because it does not have quorum. Therefore, I think the only avenue open to it is to bring the question before the House. So I'm speaking, I believe, in favour of the motion from the Member for Edmonton-Highlands.

As I said, I've been on the Public Accounts Committee since my election in 1997. I am the longest sitting member of this current

incarceration or incarnation of the committee. [interjection] Yes. Well, it's not a popular committee. I believe that in seven years I have only missed one meeting, so I feel confident that I can speak about what has been the habit of this committee. With this committee I have never experienced both a scheduled minister and every single government MLA being absent from the meeting at the same time on the same occasion. Memory does call up one other occasion when a minister canceled their appearance with such short notice that the committee was not able to reschedule another minister and, in fact, did not meet. That was the occasion in May of 2001 when the House sat throughout a night and throughout the following day. The minister at that point canceled his appearance, and we were not able to reschedule another, and the committee didn't meet. That is the only other example in my memory in my seventh year of sitting on this committee now.

My point is that this morning was a unique event. I don't tend to believe in coincidences, so I would tend to take it that this unique event was meant to have intended meaning to those of us who were in attendance at the meeting this morning. I note that the minister did in fact send a messenger, although the government caucus representative did not, and we had to contact them by phone. Neither the minister nor the government caucus representative gave a reason for this shunning of this all-party legislative committee, and neither, I also note, did either party send out that it was not a deliberate act, that it was not intended to have significant meaning. I wonder whether it wasn't to have significant meaning for the chair of the committee, who is the Member for Edmonton-Gold Bar and at the time the subject of a point of privilege that was held over.

4:00

So I wonder, Mr. Speaker – and your advice, of course, is always paramount – if this was the case and the nonappearance was intended to have meaning, was intended to show disapproval for the actions and statements of the Member for Edmonton-Gold Bar, then I think it could be taken that there was an attempt to prejudice Edmonton-Gold Bar's ability to have a fair hearing and a fair process around the events of the last couple of days.

If I apply a reasonable-person test to determine why both the minister and every member of the government chose to absent themselves from this all-party legislative committee, I look at possible reasons why they could not have been there this morning, such as a terrible illness or a situation of disaster or a situation of civil insurrection or war, even having sat very late or into the wee hours of the morning, that would cause everyone to be absent, and none of these excuses seem to come into play. I did check the media for announcements of various kinds of illnesses and disasters, and none of those come into play, and the House in fact adjourned last night at 11:24, which is a late hour but not an unreasonably late hour. So I think that a reasonable person could come to believe that this was a deliberate act by both parties, the minister and all of the government MLAs appointed to this committee, and that they were in fact acting in collusion. In that I think it is inappropriate and was showing contempt for the process, and as these all-party legislative committees are creatures of this Assembly, it was showing contempt for this Assembly. I think it was using that parliamentary process, that of a legislative committee, to attempt to control and punish the behaviour of another member of this House.

There are legitimate processes both in and out of this Assembly that were available. They could certainly have called upon the Speaker's advice if they wanted information about what other legitimate avenues were open for them, if they wished to somehow express their disapproval in some way, but what I saw was collusion between a minister and every member of the government caucus that

was appointed to this. To use the occasion of a regularly scheduled all-party legislative committee to send a message, to shun a member of this Assembly and, as has been pointed out, to waste the time of the other members who did appear – the Auditor General and his staff, the committee clerk, and the *Hansard* staff – I think is unacceptable to me.

Missing a meeting becomes very important to this particular committee, because as I've noted, the majority of the members on the committee are members of the government and they have consistently voted in the past to not allow the committee to meet outside the Assembly. So missing one meeting out of the nine or 10 meetings that we get a year to scrutinize the public accounts of the government – the government now has 24 some odd ministries – we're not even making half of them. To miss one day and not be able to replace that day is significant, I think, in terms of our ability to examine a particular ministry and overall to examine the public accounts of the government. In this case the programs and services that are offered by the minister who was to appear before us cover programs for vulnerable Albertans and I think would have been of great interest to my constituents and to others.

I think that what happened this morning was an attempt at intimidation. It was a contempt of what should be happening in this Assembly and those committees which are creatures of this Assembly and should not be tolerated by the Assembly.

Thank you, Mr. Speaker, for the opportunity to speak.

The Speaker: Hon. Minister of Human Resources and Employment, did you want to participate in this point of privilege? It's your choice.

Mr. Dunford: I think, Mr. Speaker, but not having access to the Blues, that there might be a Standing Order 23(h) in the sense that I heard the word "collusion" in reference to me as minister.

The Speaker: I think the hon. member was wondering out loud if there was collusion. The chair was listening very intently, and I think she was musing out loud that she was wondering if there was collusion. I moved in my chair when I heard that word too, but I think that clarifies it.

The hon. Member for Calgary-McCall.

Mr. Shariff: Thank you very much, Mr. Speaker. I just want to begin by first saying that I concur with the comments that have been made by the Government House Leader. I won't take much time of the Assembly, but I'd like to cite at least three references here that you should take into consideration.

Beauchesne 760(3) clearly indicates that "committees are and must remain masters of their own procedure." We establish procedure in this parliamentary system to follow, and the correct procedure is to take this issue up at the next meeting where it can be debated and issues can be raised and answers can be sought. The second reference was already made by the Government House Leader, so I'm not going to repeat it, and that's 760(4). Finally, Mr. Speaker, I want to make one other reference, and I'm extending this analogy a little further. *Beauchesne* 31(4) says, "Many matters, such as the absence of a Minister from a committee studying Estimates, may constitute grievances but not a question of privilege."

Mr. Speaker, I feel that this debate that's going on is a slippery slope where people may start imputing false motives on others, and I hope that we don't go through that path. I do not see this as a point of privilege. I see this as a procedural matter that has to be dealt with in the Public Accounts Committee, and that's where it belongs.

Thank you very much.

The Speaker: The chair wants to deal with this matter now. For the record, the hon. member provided notice to the Speaker's office this morning of his intention to raise his purported question of privilege relating to events that transpired this morning in relation to the Standing Committee on Public Accounts, so the requirements of Standing Order 15(2) have been met. I think I received notification around 10 o'clock, 10:30, or something to that effect.

It has been cited now by several members, but as all members may be aware, there are a host of authorities on the procedure for raising as a question of privilege matters that arise in or from standing committees. It's very, very clear. This is a case of black or white. The chair would like to refer the members to *Beauchesne's* 6th edition at paragraph 107, where it clearly states that the business of committees must be dealt with in committees, *Marleau and Montpetit House of Commons Procedure and Practice* at pages 128 and 129, and of course our own Standing Order 62(3). The bottom line is that there first must be a report by the committee before the House will address the question of privilege arising in the committee. Now, having said that, this morning there was no meeting of the committee, which makes the purported question of privilege akin to the situation of a tree falling in the forest and there being no one there to hear it.

Recently the chair was in fact anticipating such things happening so has spent some time reviewing such rulings, so I had this available when it did arise this morning. On November 27, 2002, at page 1950 of the *Commons Debates* for that day the Speaker of the House of Commons said this about a purported question of privilege about what went on in a committee:

In the present case the Speaker has been asked to reach into the proceedings of the committee to overturn something that was done there. Such requests have occurred on many occasions in the past and previous Speakers have, without exception, resisted the temptation to intervene.

On numerous occasions in the past there have been issues that have arisen out of committee, the Committee of Supply, or some other committee. Either the Deputy Chairman of Committees or others have said: well, we think it should come back into the Assembly and you should deal with it. I have consistently looked at them and said: "No. That remains the business of the committee, and that's where it should be dealt with."

4:10

So there is no prima facie case of privilege. However, the Speaker wants to encourage all members to work to ensure that the Public Accounts Committee continues its important work and sincerely hopes that a meeting will be scheduled according to the routine schedule, which presumably would be next Wednesday morning at 8:30.

head: **Orders of the Day**

head: **Committee of Supply**

[Mr. Shariff in the chair]

head: **Main Estimates 2003-04**

Children's Services

The Deputy Chair: The hon. Member for Edmonton-Ellerslie.

Ms Carlson: Thank you, Mr. Chairman. We have a practice in this Assembly where we have at least two hours to speak on budget debates. Given the events of the day and the hour it is now, we are proposing that we still call the question for budget debates at 5:15. The minister has agreed to take all questions under advisement, and

while we treat this time as very important to us and have a great number of questions to ask, we will submit the rest of them in writing and propose that this one time only in this Assembly we limit debate until 5:15 today.

Mr. Hancock: Mr. Chairman, with the agreement of the House we would certainly concur and appreciate the co-operation of the hon. Opposition House Leader in that.

The Deputy Chair: I believe we don't need a resolution for that, so we'll proceed.

The hon. Minister of Children's Services.

Ms Evans: Thank you very much, Mr. Chairman, and thank you to the members opposite. To my colleagues today who may also wish to submit written questions: have those available and we'll so entertain.

I'd like to introduce here today to listen to the questions and assist me, no doubt, in responses to those that I may not be able to answer our assistant deputy minister of support services, Keray Henke; my executive assistant, Kim Endres; and the communication director, Mark Kastner. Mr. Chairman, these are wonderful people that will always be pleased to help respond to the questions of all members on all sides of the House in this Assembly.

Now, Mr. Chairman, I am not going to go entirely through every remark I had because of the time, but I want to just mention this. The chance of a lifetime is not something to be taken lightly, and to be a Minister of Children's Services in this government is something that has been a privilege. So today I'll just briefly highlight some of the goals of the budget for 2003-04, the goals for the coming year.

Children are a priority of this government. From the throne speech on February 18 we heard that "this government's highest priority must be to secure a bright future for children and youth." The Speech from the Throne pledged that

the government will demonstrate its commitment to that priority by undertaking a range of initiatives to ensure that Alberta's most precious resource, its children, is protected and enabled to develop to its fullest potential.

As we heard in the budget announcement by the Finance minister on April 8, the Children's Services budget for this fiscal will increase by \$36 million to \$701.8 million, a 5.4 percent increase from the 2002-03 budget. With the additional \$36 million this fiscal year Children's Services will be making further investment in Alberta's children and families. The funding will go towards direct services to children and families in areas such as child welfare, early intervention, and particularly services for children with disabilities. We demonstrate through this budget our commitment not only to the children but to the local communities who will help and assist in the delivery of services and the expanded role of the Alberta response model.

Mr. Chairman, Children's Services envisions an Alberta of strong children, families, and communities with a regional system respectful and responsive to service delivery required. Our goal is to do more than protect vulnerable children from neglect and abuse. Our goals in fact put children first and put families first through prevention, preservation, protection, and permanency planning for children in care and through community partnerships.

Some of the areas are as follows. The Alberta response model, commonly known as ARM, is a key initiative that has been developed to build on successful child protective services and improve community-based supports for families at risk. This model is the tool our ministry is using to transform child welfare in this province. The child welfare budget for 2003-04 is \$373 million. The increased

funding of \$8 million will support the Alberta response model and implementation of amendments to the Child Welfare Act that will work hand in hand with the new model for child welfare service delivery. Legislative amendments are aimed at preserving families and protecting the children in need, providing also children and youth residence in permanent, nurturing homes.

A hypothetical case about how the Alberta response model will work in everyday life. A single mother calls the local office, her local CFSA authority, to ask for help for her teenaged daughter. The teen has been a handful all her life but in the past two years has become what she describes as a nightmare. She has been skipping school, becoming very involved with drugs, and starting to steal. After screening to rule out any possible child protection concerns, a family assessment is done, and the mother is referred to an appropriate agency to deal with parent/teen conflict. The mother along with a parent resource co-ordinator and the teen school counselor work together to develop an action plan. They agree that substance abuse is the first critical issue needing to be addressed, and they work together with the teenager to involve a local treatment program and help her to continue her education, working with the family, with the teen, and with the agency. Mr. Chairman, through this model, through this very tailored response to children and families in need, families feel better supported and better connected in a nonadversarial process.

I'd like to just briefly comment on the adoption web site since it has attracted the attention of members – actually, probably worldwide, with over a million hits. We have 43 children that have been adopted since the onset of that web site. Some 11 would not have been placed on the web site, but the expanded interest has also attracted an additional 400 new adoptive families, who've registered and are taking training courses to become prepared for parenting. We've had 248 inquiries – serious inquiries – from adoptive parents residing in other provinces who want to become a part of adopting. In Canada, Mr. Chairman, this has been recognized as one of the most successful endeavours.

Our resources in this budget, Mr. Chairman, for the children with disabilities are \$72 million, an increase of \$8 million from the 2003 forecast. You've heard me talk about the potential for a hundred new cases of autism this year. The other areas, of course, are those extraordinary needs, some of them multiple needs, that affect children with disabilities. I've spoken many times about the various ways that children are now kept alive and become healthy yet disabled children that require family supports within this ministry and will also through the new Family Support for Children with Disabilities Act. Through this new legislation we hope to work on family-centred supports and serve to empower families of children with disabilities so that they will be able to access services and target those services that are most in need for their complex high-needs children.

Clearly, the average cost per case of accessing ministry resources for the children with disabilities program went up approximately 3 percent over the previous year, costs being due, as I've said, to new treatments and therapies, so the average annual cost of the RCD caseload is approximately \$7,148. In contrast, caseloads for those with autism who receive intensive behavioural intervention is approximately \$39,000 per year. Mr. Chairman, we have complex caseloads that are indeed high-cost. It is estimated that this year, in 2003, 420 children will receive IBI services, a 27 percent increase from 2002, predominantly because of work that's being done identifying and assessing those cases with health and also with Learning.

4:20

Our early intervention budget this year is \$62 million, an increase of \$4 million over the 2003 forecast. Approximately \$2.2 million is

the result of funding under the new federal/provincial/territorial early learning and child care initiative. Alberta's child care initiative was announced in December and is designed to build quality child care. Three components of this initiative include child care accreditation, respite options for families in need, and a child care nutritional program. This year's increase to the funding will be used to implement the child care initiative through all three phases: pre-accreditation, pilot review of an accreditation process, and full implementation of the model by March 31, 2004.

We also anticipate improving outcomes for children at risk in supporting parents and providing quality care for their children. Programs like roots of empathy, that were launched in southern Alberta and in Calgary, add to the bench strength we're trying to build for Alberta's children. Our early intervention budget this year is \$50 million, an increase of \$4 million from the 2002-03 forecast. In addition, municipalities will receive \$61 million for family and community support services, an increase of \$3.3 million, Mr. Chairman: \$1.3 million accounting for a population increase as per the funding formula, \$2 million for new initiatives for children and families to improve the response to potential risks.

Mr. Chairman, the regions have allocated \$11 million for early child development initiatives – and I think this is extremely positive – with an additional \$1.75 million that's being added for fetal alcohol spectrum disorder, bringing that total to approximately \$5 million. Regional child and family services authorities will be allotted \$2.4 million for regional programs, a 100 percent funding increase from last year, again trying to improve the community capacity, and \$1.8 million will fund 10 demonstration projects for an additional 200,000 towards a provincewide FASD program. We're really going to target and almost double up the work we're doing for children and trying to prevent fetal alcohol spectrum disorder.

Our aboriginal services are extremely important. Co-championing the aboriginal policy initiative, we're working to partner to improve prevention and early intervention services, again, Mr. Chairman, trying to get federal supports to those aboriginal families, something that we're still struggling to make sure are in place simply because those have not been forthcoming yet from the federal government: dollars promised but yet to be delivered. We've established agreements to support First Nations and child protection and permanency with Métis Nation and Métis settlements.

Our family violence protection has grown to \$15.4 million. Mr. Chairman, the additional \$4 million over the last three years has really gone a long way to improving the service delivery and the advocacy for prevention of family violence.

Alberta's promise and the new \$2 million to be available to go towards the research centre have added approximately \$3 million to the corporate administration of our department, but I do note that the \$2 million for the research is to be provided through a nonprofit agency that is being developed. A launch is expected later this year.

Mr. Chairman, in conclusion, as rapidly as I can speak so that I can get as much of this out for the hon. members opposite, I would just like to say that our budget this year reflects an overall commitment to the children so that they will in fact reach their greatest potential. With that, I'll await the questions from the member opposite, and perhaps just to expedite it, the member opposite would like to give me them in clusters. I'll stand up and give a very brief response, and then we can fulfill the obligation of giving more detailed responses later.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Chairman. Thank you to the minister for agreeing to expedite the examination of the estimates the way we

have this afternoon. I think that if we're doing this another year, the minister will have to make sure that there isn't a hundred-page amendment to the act that precedes the discussion of the budget. It's timing that I think is leaving all of us a little exhausted.

I wanted to start with the ARM and the minister's comment about ARM and to ask: is there an ongoing evaluation of the Alberta response model, and what is the nature of that evaluation? It would seem to me to be a necessary component, and it would be unfortunate if we got down the road a number of years and there wasn't in place a plan, at least, for determining how effective the model is in responding to the needs of Alberta families. So that's my first question.

The second question is an accountability one. I wonder if the minister can tell us . . . Mr. Chairman, I'm finding it a little difficult to hear myself think.

The Deputy Chair: Hon. members, the Member for Edmonton-Mill Woods has the floor. He is experiencing difficulty with the noise level in the Assembly. I urge all members to give him the due courtesy that he deserves to be able to speak.

The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you. I wonder if the minister could give us an update on the co-management of the Kasohkewew children's services on the Samson reserve. Where in the budget do we see the finances dedicated to that particular project?

The minister mentioned intensive behavioural intervention, and I think we discussed this last year. There's been some controversy raised about the method, and it seems to me from the remarks of the minister that the department has made some decisions about using intensive behavioural intervention programs. I wondered if she might spend a few minutes talking about the background to that and how the department has met the criticisms from some quarters. I know that I had a professional visit my office and lay out some reasons why IBI shouldn't be used with autistic children, and I wondered how the government was responding to those criticisms, because there still is a great deal of enthusiasm for IBI on the part of a significant number of parents.

Just another question with respect to the student health initiative. Again, there are some comments in the annual report about the student health initiative. Could we get some information about the administrative costs of that initiative and where they are located? I imagine that they're in more than one budget, but that may not be true, and I wonder about the success of the initiative. I continue to hear, for instance, from parents in this city that the initiative is not providing the kind of service, especially to children with disabilities, that the parents thought was going to be there when the initiative was undertaken. So, again, if we might have some comments on the success of the initiative.

If I might, some questions about early childhood care and education. Again, with this great emphasis in the ministry and cross-ministry objectives and trying to bring everyone to bear, what is the interface with Learning with respect to the provision of early childhood care and education? Are there plans that are being developed? Is there consideration to extending kindergarten to make it available in some cases for younger children? Are there plans for further expansion of early childhood programs? I noticed in the annual report that the department reports on the project in Rocky View where they were looking at the readiness to learn of 2,800 kindergarten children and the kind of activity there. I look at jurisdictions elsewhere. I look at states that now have moved to full-day kindergarten for five year olds and an optional kindergarten for four year olds and selective programs for younger children, and I

would like some information, if I might, from the minister with respect to whether there are any initiatives in this area, particularly ones that would affect the co-operation with Alberta Learning.

4:30

Maybe a last question in this first group, Mr. Chairman. In the annual report the department indicates that over the past year 2,015 people were trained in the Protection against Family Violence Act, and it indicates that 285 of those people were child welfare workers. My question is: is this kind of training compulsory for all child welfare workers? Is the intent that every worker will be trained in this area? A related question: how is the safety of workers who are working with families in violent situations assured? We had some comment from the minister of human resources in question period last week or the week previous about the provisions they have in place, but I have a concern about safety and how it might be addressed.

Thanks.

The Deputy Chair: The hon. minister.

Ms Evans: Thank you, Mr. Chairman. In the first instance, the ARM evaluation is being conducted through two vehicles. The University of Calgary's is through Dr. Gayla Rogers and her department. They have put together a framework and a protocol for evaluating that, and we've already had some results, some dialogue with them. Dr. Nico Trocme from the University of Toronto and the Child Welfare League of Canada have participated as well in looking at the indicators, not only the federal indicators but some of the indicators that they have felt would most clearly direct themselves to neglect and abuse. So at this stage, in the very preliminary stages, we are very satisfied that we've got some outside sources to come forward and provide us an unbiased look at how those programs are being affected, and we'll look forward to tabling in this House some of the results of some of those early evaluations. I'm glad that that was asked about.

In terms of, particularly, the Kasohkowew situation and the comanagement, which we're still undertaking with the child welfare authority, the delegated First Nations authority of Kasohkowew, and Samson Hobbema, we are providing resources. Clearly, those are human resources that have been seconded from elsewhere, but essentially that funding for that authority still comes federally. Kasohkowew through the Samson Hobbema tribe has provided additional supports I believe in the amount of some 300,000 dollars to support additional community supports in trying to build a strategy, Mr. Chairman, to improve the circumstances there. Predominantly those dollars come from our First Nations liaison unit budgets and would be the secondment of at least one codirector and from time to time other consultants. We can provide you more exact figures, but they would be not found so much in the budget for the dominant work that's done there, because the dominant work that's done there is still federally funded.

With the tabling of our new resources for children with disabilities legislation, that we've just had the Committee of the Whole discussion on last night, I think that questions that have arisen in the past about IBI reports or performance for various children will be clarified because it will be very clear what the director's role will be in allocating service delivery for children who require these very specialized services and for families in receiving services. To the hon. member opposite, we are looking at a model where the parents can actually choose to have more hands-on involvement in receiving the dollars and providing those dollars for service themselves, if that be their preference, or in fact having us provide those services in

consultation with themselves. Some very strong proponents for children have felt that they could broker those services on their own, and we're looking at that model as we speak: something that gives a little more parental choice in the delivery of those services once the assessment is done.

My vision is that ultimately everybody with a special-needs child will receive a proper assessment at the outset no matter where they live in Alberta, that they will get an absolutely thorough assessment. Their needs will be understood. The families will have what understanding they need to have for supports. Then if there are physicians or care workers in other communities who will actually deliver that service, they will have that kind of template from a centre of excellence in this distribution, which could be the new Children's hospital, the Glenrose centre here, or the centre in Grande Prairie, and we will avoid what currently seems to happen. I recognized when my own son was sick as a newborn that you're tempted to go to every doctor until they give you the answer that you want to hear and that you feel confident in. We want to make sure that parents don't fight to find out about the diagnosis, that they get that diagnosis. We work with our partners in Health and then get working on a better plan for the child in the service delivery plan right from square one. I think you'll see that the new legislation will clearly do that, but we are trying to practise very strongly to improve so that you don't receive letters from people who wonder if they've been denied program supports.

I think also that the circumstances we find ourselves in with a better diagnosis of autism, for example, mean that we have to bridge where families may be coming from, that road of discovery, what is wrong in this situation, and try to find out what they can get, what best treatments are provided. I believe in our performance measures. Although we may not achieve that objective this year, there will certainly be some support.

If I may, SHIP in here really predominantly appears from the fact that the people that are in number administering the SHIP initiative across Alberta are counted in our budget but are funded elsewhere, sometimes from the Learning budget and sometimes from other areas. So we may be showing the FTEs in our budget, but those FTEs that are delivering that service are accountable, through the funds that we receive, sometimes to entirely different authorities; for example, the schools. Some schools, of course, have had hugely satisfactory performance issues. Some may have had issues as well with that actual service delivery. As you know, we are a partner in this, and it would behoove me to defer to the Minister of Learning and the minister of health about the actual success. Many parents have expressed extreme satisfaction. Many expressed to me the desire to have more funding in particular schools on particular issues dealing with their own specific children. So that's something that I think we can always look at.

Early child care and the articulation with Learning. Very recently through the Alberta children and youth initiative we have been looking at a partnership in the protocols of assessing children. In that assessment I think that both Health and Learning are very much partners. We've been looking at how we can look at indicators that show effective approaches, public reporting of that, and that's something that even on a national basis we've looked at. Our early child care accreditation model will also help illustrate some of the successes.

Mr. Chairman, the roots of empathy, that I referenced in my opening remarks, are beginning to show better parent/child liaison, better nurturing of children. In terms of how we articulate in prekindergarten and something that precipitates it, the hon. member and I, albeit years ago, discussed the merits of PUF funding for those that are younger than five to make sure we had a proper school

readiness model, and I think that's as valid today as it was then. So we are very anxious to see that through the additional supports through FCSS, for example, in the Taber-Warner constituency and through other models through various child and family services authorities we start to make some headway on improving the outcomes for children, and hopefully that will show up.

4:40

The annual report referencing the family violence act is a reference to our training of not only child welfare workers but police, particularly in outlying areas, for that legislative framework for protecting families where violence is involved by removing the perpetrator from the home, and we have been expanding our training capacity there throughout.

You've asked about satisfaction with the safety of child care workers. Mr. Chairman, there are protocols in every single authority identifying their need, where necessary or where perceived risk is there, to address various responses on emergency teams with both police and social worker in tow. Social workers are strongly counseled not to put themselves in any compromising situation, and we can provide you more detail on that program if you wish.

The Deputy Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much. Well, I'm sure that the minister in seeing me rise will know that the questions that follow are going to be on funding and on women's shelters. I'd really like not to have to do this every year. I wish that I could see some concrete changes. I'm sure that the minister will be able to detail for me some smaller changes that she feels have been implemented – and I look forward to hearing those from her – that are in support of the work that is being done in the shelter movement, but there are a couple of questions that I would specifically like to discuss with her.

The statistics we get continue to rise, and we're now in a position where more people, more women and their children, are turned away from women's shelters than are able to be served in the women's shelters. I know that the minister will say, "Oh, but we don't totally abandon them; we do look after them," but it's not the same thing. They are put in a hotel if the person wants. A lot of the people return home; let's be frank. They just go back home and back into a situation of abuse. The ministry will put them in a hotel, but that's not the same as being in the shelter. That's not the same as having other women in like circumstances around for group support. It's not the same as having the social worker right there in the house. Being in a hotel room with a flimsy door and a lock in between you and whatever is out there is not the same as being in the safety and the security and the anonymous location of a women's shelter. It is not the same. So we're now in a position where we have more women and their children being turned away from women's shelters than being served by women's shelters. Is this the benchmark? Is this the mark, the line that we're going to work from now? Is this our baseline where the government says: "Okay. This is the way the world is, and we will fund from here?"

My frustration is that every year I stand up and I look and the numbers are worse. There are more people not being served here. I don't see a co-ordinated government effort going on. I don't even see things that used to happen, like the television ads or the posters or the radio ads or the sponsorship of the plays, theatrical productions and other sorts of performance art that used to get out into the communities that would help people be aware of the situation. I see us going backwards in this whole thing. There have been some improvements that have come forward with a sort of co-ordination between police and social workers and shelters and that sort of thing

that I think have been an improvement around the whole issue of violence against women and their children, but overall I come back to the same statistic: there are more women and children being turned away than are finding service in these shelters.

So is this the benchmark, the baseline that we work from now? I don't see the government putting huge effort or thought or energy or money – and you notice that money was last here. It wasn't first. It was last in the list of how to approach this. So I want to hear the minister on the record. Just tell the truth. If this is where it is, this is the baseline, this is where we're going to work from, okay, fine. Then I think that myself and other people would have a different approach and could adjust our strategies to what the government is doing. But if we keep thinking, "Well, the government is going to come through; they're going to pitch strikes; something is going to happen here; it's going to get better somehow," then we adjust our strategies to that, and we're all failing as a result of it in my opinion. So I just want to know what the real truth is. What's the real strategy here?

The second issue is around second-stage housing. I don't know if people in the Assembly are aware that generally a stay in a women's shelter is three weeks or less. Twenty-one days and you're out. So if you've left in the middle of the night in your pyjamas if you're lucky with a kid under either arm, you've left your wallet, you've left your credit cards, you've left your slippers, you've left your toothbrush, you've left the kids' teddy bears, you've left their clothing, their lunch box, their toys, their bicycle, everything. You're out there with a kid under either arm in your pj's, no toothbrush, no money, no car keys, no passport, and you've arrived at a women's shelter. You've got three weeks. Boy, they zip by in a blink of an eye, and now you have to find second-stage housing.

Well, I notice in a recent newspaper article that the director of the Alberta Council of Women's Shelters is saying: you know, we try to work to a point where there should be three second-stage beds for every emergency place. Well, we've got a hundred emergency places, so we should have a heck of a lot of second-stage beds, and at this point when we have the new building opened in Edmonton, we'll have 20.

So we are so far out of line and out of whack with second-stage housing that again, you know, is this the benchmark, is this the baseline, is this where we work from? There doesn't seem to be any great movement here, any coalitions building, any great meetings of the minds with the Minister of Children's Services. I just loath vulnerable women, women in a dire situation, battered women, being under Children's Services. I will loath that till the day I die. But I don't see the Minister of Children's services putting her head together and coming up with concrete plans with the minister of housing. Maybe it's happening. She's going to have an opportunity to get up and tell me what's going on, but I just don't see it, and I'm looking.

There's also an issue around the staff that work in the women's shelters, and there's a larger issue for the Minister of Human Resources and Employment as well. But, you know, every time the government workers get a raise – and all power to them, and that's a negotiated settlement through a proper collective bargaining process, we hope, still – their equivalents in the nonprofit sector, like those working in the women's shelters, do not get an automatic raise. I'm wondering why the minister isn't looking at putting in place a policy that says that there's an automatic review every year or there's an automatic increase that goes: if there's a raise to the government workers, it happens to the workers in the shelters as well.

I mean, let's face it; that's what the members of this Assembly enjoy. On the 1st of April, according to a process that was put in place by the Members' Services Committee, the average weekly

wage is looked at, averaged out across the previous year, and if there has been an increase in that, bingo, there is an equivalent increase for the MLA's salary. So if we can enjoy that here, why are we not extending that to the groups that we work with and that we oversee in the communities?

I urge the minister – I actually challenge her – to put that in place because I keep hearing back from the shelter workers, and I'm sure the minister does, too, because they just barely get caught up and they'll be caught up for, you know, two weeks, three months, six months, and all of a sudden there's another settlement, everything has changed, and they're falling behind again. If we're really serious about the support here, then we need to be supporting these workers.

So those are the three issues that I want to raise. You know, what seriously is going to be done? If there's going to be no increase in trying to alleviate the number of women and children turned away from shelter spaces versus those that are able to find accommodation, (a) if you're going to improve the money there, good. Let's hear it. If you're not, then that becomes the benchmark. What's the government's long-term look at this? You've got a three-year rolling business plan in front of you. What exactly is going to happen to allow the community to adjust their strategy in how we support those shelters, the women that work in them, and the women and children that come to them? The second issue about the second-stage beds and the third issue about linking the salaries.

Thanks.

4:50

The Deputy Chair: The hon. minister.

Ms Evans: Thank you, Mr. Chairman. Just a couple of days ago I looked at a November report about turn-aways in shelters. One of the things that we've discovered is that sometimes turn-aways – if a woman, for example, in this city visited two shelters the same evening, they would be counted as a turn-away in both shelters. We have to try and manage more clearly what our turn-aways are.

I'm not saying that I don't agree with the member opposite. We're always concerned when we turn people away, but we have not only the capacity through the Minister of Human Resources and Employment to provide emergency shelter; we have found that unlicensed beds within the facility often provide some reprieve for those people so that they are not put out in the cold. I think that the point I'd like to make is that we are concerned when children and families come to shelters and don't have appropriate accommodation. We're looking at a number of those issues with both the women's shelter association, the society, CWS, as well as some of our ministerial partners.

We had a most excellent presentation from the Council of Women's Shelters talking about second-stage housing and a number of other things. At that time, six of the ministers, including Community Development, housing, Human Resources and Employment, the Solicitor General, the Justice minister, all came together at Government House and had a very extensive meeting with shelter directors across this province and talked about the issue of second-stage housing, which my colleague the Minister of Seniors has discussed at some length in this House.

I can only assure the member opposite that in terms of evaluating the needs for second-stage housing, we are doing that both in southern Alberta in the Taber area and in various places in Alberta. There are some plans, which are perhaps fragile at best because they're in their beginning stages but which I hold some optimism will yield some better benefit. I am going to surprise the member opposite: I do agree that there is a strong need for second-stage housing in Alberta.

The question really remains, Mr. Chairman, about who shall answer that call. Who is responsible? We know we've got shelters on reserves that are funded by the federal government. We have federal dollars in housing and affordable housing supports, and I think it's all partners, including the local jurisdiction, that have to be involved.

So to my third point, relative to the salaries. The hon. member opposite would be aware that we did provide some supports to salary adjustments, which I agree needed to be made throughout Alberta on the women's shelters, but I was also given some caution that these shelters have traditionally operated under societies and under auspices which are self-directed and that I can't simply go in and supplant without having to consider what they've already got in place, increases they may have made.

Should we have some type of formula, perhaps, that could be in place for all places? I look at the various partners that government does have. We have numerous partners, and some would argue with us just making arbitrary allocations, but what we are attempting to do to overcome some of the problems we've had in the past where shelters have not received adequate compensation is consolidate the supports for shelters within the department so that they will not be at the whim of the child and family services authority directors so that centrally we will be able to make sure – and I hope that the hon. member is listening – that we will see those inflationary increases go on the basic salary amounts that should be available to those people in the shelters. It is important to have that support.

We are working further, and you'll see in the shelter budget not the amounts that are supporting the child delivery at the local level, but you'll see in these budgets dollars that will go directly to shelters, and additional dollars in support of children and youth that come to shelters will be provided through the protocols of agreement between the shelters and the various children's authorities. So there's significant work in the last four years both financially and in dollar support.

Finally, I think the biggest issue that I'm supporting in the shelters and the area of domestic violence with the women's shelter groups is inviting them to the table to talk to those members of the judiciary and other people that can help us with what I perceive as current needs for families who have been victims of domestic violence and where children are held vulnerable.

Furthermore, I will provide that turn-away report from November so that the minister's reports on that can be distributed to the members opposite.

The Deputy Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you. There was one other issue that I wanted to raise with the minister, and that is the issue of the aboriginal pillar. When I first went to some of the meetings that were held around designing a new approach to delivering children's services, there were four pillars. What was really, really innovative about that new approach, which was instituted by this government – I mean, this was not something that was brought forward and plunked down by the community; this in fact was driven by the government – was this insistence on a fourth pillar that was the aboriginal pillar.

Now, I've seen the establishment of the children's authorities. We've now seen a redrawing of those boundaries to bring them – what's the word I'm looking for? – as a corollary, adjacent to, along the same lines of the health authorities, and as I read the literature and I hear people talking and I listen to the minister's responses to questions directed at her from members of the Assembly, the aboriginal pillar seems to have disappeared like smoke. What happened there? Was it too difficult to implement?

There is an undercurrent of annoyance to my voice here because I'm aware that there were a number of agencies in the community providing children's services, the many different children's services that are provided there, that had to absorb the cost of training people in cultural sensitivity with aboriginal issues. So there was sensitivity training and training on how to deal with all this. Those agencies had to bear the cost of that themselves. They covered the cost of that. There was no reimbursement through any contract that was available or through any granting program through the government. They covered that. They've now gone through all of that, and this aboriginal pillar seems to have disappeared. So what the heck happened there? Why isn't this being upheld? Why has it disappeared from all of the literature?

Thank you.

Ms Evans: Well, Mr. Chairman, far from disappearing. Co-chairs, one nonaboriginal and one aboriginal, in every authority. At least, the Métis authority is still intact to provide services to Métis settlements. The aboriginal issue, where the fourth pillar is, is as alive and well as it was at the very beginning. What the aboriginal pillar implies is how we do something, not what we do. How we look after people through the aboriginal pillar and not necessarily what we do. What we do is provide culturally appropriate supports. Whether you're a Vietnamese immigrant family in the downtown part of Calgary, it's as important as if you're an immigrant family in Fort McMurray from another province. The aboriginal pillar is still alive and well. Our native liaison units are still in place. They have expanded. We have a full complement of staff there, and we have been working to expand the training for aboriginal people and those that are serving aboriginal people.

Now, agencies that have covered the cost for some of the training issues. Very specifically I'd like to indicate that when we retain agencies to deliver child welfare service, there is an expectation that part of that will be as the contract itself decrees, and training may become a part of that if there are new practices, new things like the ARM model. Obviously, we provide a lot of that training within the ministry. Clearly, agencies have an expectation, depending upon their contract, that they will have to cover the cost of some of those because that is exactly how the contract has been structured: different for a variety of different people.

5:00

If the hon. member opposite has any specific area that she'd like me to profile or come back to on costs of support for staff development – I'd also, in conclusion, draw the hon. member's attention to page 76 of the business plan, which identifies "improving services for Aboriginal children [and] youth," acknowledging the presence of aboriginal children and youth in the child care cadre as well as the disability rates, which are significant, and noting that throughout Alberta, throughout the authorities themselves we're working hard with the aboriginal communities to make sure that we have appropriate responses to their issues.

The Deputy Chair: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Chairman. I'm pleased to ask a few questions of the minister given that we have very limited time, but I want to thank the minister for her introductory remarks. Given the fact that we have 10 or so minutes left at our disposal, I will focus on two issues.

The one that I'd like the minister to address a bit, that caught my attention as I was looking through her business plans, is a rather significant statistic here that 40 percent of the child welfare caseload

is from the aboriginal children communities. I wonder: when it's translated into numbers, what's the total number, then, of children of which 40 percent would be? Then I can get a sense of the numbers involved here. That's one.

More important, however, is that since this observation, this particular attempt to draw attention to the fact that the aboriginal children in particular are in need of services that the ministry provides, and when you relate it to goal 3 in the business plan, which talks about "the well-being and self-reliance of Aboriginal children, families and communities will be promoted, supported and comparable to that of other [children]," there's an emphasis on capacity-building in aboriginal communities. That raises the question of how these aboriginal children in care are distributed between the urban population of aboriginals in Alberta and the non-urban, or reserve-based perhaps, communities. I suspect that the whole question of capacity-building will be of a different nature when dealing with, say, communities which are self-contained, are independent, and aboriginal populations that are scattered in an urban setting such as Edmonton or Calgary. So how is the issue of community capacity-building addressed in these two distinct and different settings? That's why the numbers are important. I want to know what percentage of the aboriginal children in care are urban based as distinct from those who may be based in aboriginal communities themselves outside of the urban areas.

The other question related to it – and this may be simply a matter of juggling numbers from one line to the other. Under the budget program 2, line 2.2.2, early childhood intervention on reserve, the amount I guess in the last year was close to \$1.85 million. There's none indicated in the budget for this year. Where does that amount appear? I'm sure there's an allocation of budgeted resources to early intervention on reserves. What's the amount, and under what line? Would the minister draw my attention so that I can find it to make an assessment of whether or not it's comparable to last year or if it's increased or decreased?

One other question and then I'll sit down so that we can give the minister a few minutes to address this. In the introductory remarks the minister, Mr. Chairman, referred to the extended role of the Alberta response model. Obviously, that's in the works. When I look at the budgetary allocation again under program 2, line 2.1.2, Alberta response model implementation, the dollars provided are the same this year as they were last year. So I'm wondering what form the extension of the role of the Alberta response model will take. Is it independent of the number of dollars available? If that is the case, how so?

So I'll just stop at these two or three questions for the moment.

The Deputy Chair: The hon. minister.

Ms Evans: Thank you. Just briefly. I will get the complete breakdown of the urban aboriginal versus the rural aboriginal. You know our specific challenges, that intake on a delegated First Nations authority is paid while a child stays on the First Nations authority, but if they move to an urban area, we don't get those dollars from the Canadian government in support of that intake, on the other hand, in urban Alberta. Then when the child moves back to the reserve, we still for the province retain that funding responsibility. So it's a real source of frustration for us. In the aboriginal funding framework they, like ourselves, have sought our support, and I visited the minister of Indian and northern affairs talking about just that fact.

In this budget we do not see any dollars for the early intervention on reserves simply because those dollars have been promised by the federal government, first of all, to be available by March 31, 2003.

They did not arrive. The chiefs have contacted our office. We are working with them to the end of this month, that is today, continuing to support the programs but telling them that we will continue to push very hard. I've made contact with my colleagues in intergovernmental and interdepartmental affairs in government. As well, the deputy has made contact with the federal deputy saying: get those dollars out here; they were promised before the end of last year. That's why in the development of this budget it was not a line item. It was taken out of that budget because of our belief that it would compel the federal government to come forward and provide those dollars.

Now, Mr. Chairman, I fully intend to not see those programs lapse, but we must put pressure on the government. We've been waiting two years now for those early intervention dollars for those programs on reserve along with the fetal alcohol, FASD, funding, and hopefully by the end of this coming week we'll have some good news there. We are not going to let the children fall through the cracks, but we're going to play a little hardball right now. We were told, actually, when I went down to the most recent federal/provincial/territorial meeting that we would be getting those dollars.

Quickly, the last question that you had was . . .

Dr. Pannu: On the Alberta response model and the extended role and the budget relation.

Ms Evans: There's an additional \$8 million for the implementation of the Alberta response model also with the Child Welfare Act, and I'll make sure that we send you a briefing note just on exactly where that is at this time. It would take me a minute to look back through and find it, but it's part of the tutorial that we're going to have to do over the next year and a half to make sure that we're fully ready for proclamation, to make sure that the staff are trained so that everybody throughout has additional supports to understand the intake. There is approximately \$8 million for the overall implementation of the new Child Welfare Act, and through that allocation there will be additional supports for training on the Alberta response model. I'm sorry; just at the moment it would take me a minute to look for it. Perhaps by the time the next question comes, I'll be able to give you that answer. I think I might have it here.

5:10

The Deputy Chair: Hon. members, before I recognize the next person, I just want to clarify my understanding as the chair of this committee. Earlier both House leaders got up and had an agreement that we would finish today before 5:15. Normally, when we do that, we go until about 5:12 and then have the vote and report. Looking at the clock, we only have about a minute, a minute and a half, so I'm just wondering: is anybody else wanting to speak on this matter, or are you going to be submitting questions in writing to which the minister has agreed to respond in writing?

Dr. Massey: Yes, that's the agreement. I understood we would go till 5:15, Mr. Chairman.

The Deputy Chair: We have to report before 5:15, so we need the vote by 5:12.

Mr. Hancock: My understanding, Mr. Chair, was that we had agreed to waive that standard rule and take the vote at 5:15, so I would concur with the understanding.

The Deputy Chair: Okay. That helps clarify the matter.
The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Chairman. Just, if I might, to the minister. The annual report has a section on page 28 entitled Report of the Auditor General. It's a fairly curious selection in terms of inclusion in the annual report, because at the end of it he says, "I express no opinion on the performance measures included in the 2001-2002 Annual Report of the Ministry." I guess my question is: given the number of questions that the Auditor General raised about the department, is there not a place in the annual report where those concerns might be addressed? It would seem to me a place that that might happen, and I don't quite understand why it would be this rather than some of the concerns that the Auditor General raised.

If I might, maybe one last question. That's again the performance measures with respect to child care centres meeting critical standards. In 2001-2002 there were 93.4 percent. It seems to me that if we don't have a hundred percent of those child care centres meeting critical standards, it must be of concern. I wonder if the minister might comment upon it. It's really a very, very important measure with respect to young children, and I wonder if we could have some information with respect to those centres that don't meet care.

The Deputy Chair: Hon. Member for Edmonton-Strathcona, did you want to put a question on record? The minister will respond in writing to you.

Dr. Pannu: Just quickly I want to draw the minister's attention to the notion of capacity-building and if there's any allocation in the budget to undertake these measures and what those measures are to build community capacities on aboriginal sites. That was a question that didn't get addressed.

The Deputy Chair: Hon. minister, do you want to respond or respond in writing?

Ms Evans: Mr. Chairman, in part I'll respond and then a fuller response in writing. Clearly, the FCSS model in our full funding last year moved a great deal of the way towards an additional community capacity-building, and that was recognized just yesterday in Calgary.

If I may, the hon. Member for Edmonton-Mill Woods raised the point about standards for children in child care situations. It's a huge concern of mine. That's why this accreditation program hopefully will help us weed out those where we would agree that children who are receiving operational subsidies from government would actually be able to gain those subsidies, and we're working very hard. People that don't qualify for that, in my view, probably don't qualify to be delivering child care services to anybody, and that's a part of the standards development that is implicit with this model.

Further to the capacity-building and to the improvement of those areas which have been cited, we will . . .

The Deputy Chair: Hon. minister, thank you very much.

As per the agreement arrived at earlier today, after considering the business plans and proposed estimates for the Department of Children's Services for the fiscal year ending March 31, 2004, are you ready for the vote?

Hon. Members: Agreed.

Agreed to:

Operating Expense and
Equipment/Inventory Purchases

\$701,824,000

The Deputy Chair: Shall the vote be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I move that the Committee of Supply rise and report.

[Motion carried]

[Mr. Shariff in the chair]

Mr. Klapstein: Mr. Speaker, the Committee of Supply has had under consideration resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her

Majesty for the fiscal year ending March 31, 2004, for the following department.

Children's Services: operating expense and equipment/inventory purchases, \$701,824,000.

The Acting Speaker: Does the Assembly concur in the report?

Hon. Members: Agreed.

The Acting Speaker: Opposed? So ordered.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that we adjourn until 8 this evening, at which time we will reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:17 p.m.]