

Legislative Assembly of Alberta

Title: **Monday, April 19, 2004**

1:30 p.m.

Date: 04/04/19

[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon. Welcome back.

At the conclusion of the prayer, hon. members, would you please remain standing for the singing of our national anthem.

Let us pray. As we begin our deliberations in this sitting of the Legislature, we ask for the insight we need to do our work to the benefit of our province and its people and to the benefit of our country. Amen.

Now would you please join in the singing of our national anthem in the language of your choice. We'll be led today by Mr. Paul Lorieau.

Hon. Members:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

The Speaker: Please be seated.

head: **Introduction of Guests**

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

Mr. McClelland: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly 68 wonderful young students from St. Teresa Catholic elementary school in the constituency of Edmonton-Rutherford. They are accompanied by teachers Mrs. Camille Kauhaahaa-Hamel and Mr. Charlie Stuart. Their parent helpers are Mrs. Julie Thulin, Mrs. Cindy Shearer, Mrs. Trish McGuinness, and Mrs. Marie Reitzel. We'd ask our guests to rise and receive the warm welcome of the Assembly.

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

Mrs. Fritz: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to members of the Assembly a very special guest. This guest was seated in your gallery on March 30, and that was to proudly witness her daughter deliver a member's statement in recognition of Tartan Day. I would ask that Mrs. Colleen Graham, who is the mother of my friend and colleague for Calgary-Lougheed, rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for Redwater.

Mr. Broda: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you 23 very bright grade 10 students from the Sturgeon composite high school. Accompanying them is Mr. Norman Zweifel, their teacher, and I'd ask them to please rise and receive the warm welcome of this Assembly.

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

Mr. Hutton: Thank you very much, Mr. Speaker. It is indeed a pleasure for me to rise and introduce to you and through you to all members of this Assembly a great group of individuals from the Horizon Village in Glenwood. Twenty-three of the members are touring this afternoon, and I had a lovely visit with them before entering the Assembly today. I would ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker.

The Speaker: The hon. Minister of Seniors.

Mr. Woloshyn: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the people in the Assembly Mr. Albert Wagner, a grain and cattle farmer who resides in the constituency. Mr. Wagner, the past president of the Western Barley Growers Association, joins us along with some of his colleagues. Obviously, their interest is Bill 206. I'd ask Mr. Wagner to rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Marz: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you today five very distinguished guests from my constituency. I would ask them to stand – they're in both galleries – as I call their names: the president of the Western Barley Growers Association, Mr. Doug McBain; the Alberta vice-president of the Western Barley Growers Association, Doug Robertson; a past president of the Western Barley Growers Association, Gordon Reid, and his wife, Peggy Reid, from the Cremona area; and Jeff Nielsen, vice-president of the Western Barley Growers Association, from the Olds area. Would you please give them the warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all hon. Members of this Legislative Assembly a visiting group from Terrace Heights school this afternoon. The group is made up of 34 visitors, 31 students, and the group is led by teachers Frances Stead, Jennifer Bagshaw, and program aide Marilyn Sloan. They're in the public gallery, and I would now ask them to rise and receive the warm and traditional and gracious welcome of this Assembly.

Thank you.

The Speaker: The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. On your behalf I'd like to introduce Mr. Ed Armstrong from Dapp, Alberta, which is located in the Barrhead-Westlock constituency. Mr. Armstrong is with the Western Barley Growers Association and is seated in the members' gallery this afternoon. I'd ask him to stand and receive the warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Yankowsky: Thank you, Mr. Speaker. I rise to introduce to you and through you to this Assembly two ladies who will become constituents of Edmonton-Beverly-Clareview when the new electoral boundaries come into effect at the next election. They are here to observe the proceedings of this Assembly and are seated in the public gallery. I would ask them to please rise and receive the warm welcome of this Assembly as I call out their names: Mrs. Zoria Grieve and Ms Belinda Pylypa.

Mr. Ouellette: Mr. Speaker, it gives me great pleasure to rise today and introduce to you and through you to all members of this Assembly a very hard-working couple from my constituency, Mr. Roy Sparks and Mrs. Janette Sparks. Roy and Janette run a grain and hay farm east of Innisfail, and Roy is also a director of the Western Barley Growers Association. They came to the Legislature today to support Bill 206, the Alberta Wheat and Barley Test Market Amendment Act, 2004, brought forward by the Member for Calgary-Mountain View. I would like Roy and Janette to rise and receive the warm welcome of this Assembly.

1:40

The Speaker: The hon. Minister of International and Intergovernmental Relations.

Mr. Jonson: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly several constituents that have travelled to Edmonton to meet with me to discuss education in Alberta. They are seated in the members' gallery. I would ask that they please stand as I call their names: Ron Labrie, Bryan Martin, Brady Teeling, Pauline Mercer, Lori-Ann Hudacak, Rob Haggarty, and Darren Josephson. I'd ask members to give them the traditional warm welcome of the Assembly.

Thank you.

head: **Oral Question Period**

The Speaker: First Official Opposition main question. The hon. Leader of the Official Opposition.

Learning Commission Recommendations

Dr. Taft: Thank you, Mr. Speaker. As the Alberta Liberals said when the budget was introduced, this government's education budget falls far short of expectations. Instead of allowing school boards to implement the recommendations of the Learning Commission, classroom sizes will remain far below standards. Even the Learning Commission's chair said about the Learning budget, quote, I'm not sure this is transparent, open, and it's certainly not understandable, end quote. My questions are to the Premier. Why is this government letting down the children and parents of Alberta by failing to meet the benchmarks of the Learning Commission?

Mr. Klein: Mr. Speaker, we are not by any stretch of the imagination letting down the children of this province. The hon. Minister of Learning is working through the recommendations. Some have already been accepted. Some, of course, have been rejected. We will work through the recommendations keeping in mind that we have identified learning in our 20-year strategy program as one of the key pillars and a commitment to learning. [interjection] Well, they can laugh like Santa Claus, but basically we have decided as a caucus that learning and education will be top priorities of this government, and we will commit ourselves over the next, well, few years anyway but certainly in the 20-year strategy to address the needs of those not only in K to 12 but in postsecondary institutions and those seeking to embark on a program of lifelong learning.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The Premier talks about accepting and rejecting recommendations of the Learning Commission. Is it the case – because it appears to be – that they have rejected the Learning Commission's recommendation on classroom sizes?

Mr. Klein: Mr. Speaker, nothing could be further from the truth, and it's time this hon. leader started telling the truth. The truth is this. Now, listen. The truth is that the Learning Commission recommended that its class size guidelines be phased in over five years at an estimated cost of \$138 million. We can't do it all in one budget. We never said that we would do it all in one budget, but we do expect boards to begin reducing class sizes this year with the \$250 million budget increase and to continue to reduce class sizes with funding increases of nearly \$400 million in the next two years.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. Is it the Premier's understanding that \$250 million is actually going into the school system? Is that his understanding?

Mr. Klein: Of course it is. Mr. Speaker, it is going to Learning. It is going to the benefit of children in the school system.

The Speaker: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Health Care Reform

Dr. Taft: Thank you. As the Alberta Liberals have long been saying, the evidence continues to roll in that a strong public health care system is the best possible way to deliver health services. Recent information from the OECD, the federal government, and from Britain's National Health Service all show that private health care is more expensive and harder to control than public health care. To the Premier: how can Albertans be confident that the Calgary health region is providing value for money when a consortium in which they are a key player was disqualified from contracting with the British government because it could not offer value for money?

Mr. Klein: I have no idea relative to the situation as it relates to the Calgary health region and any contractual arrangements they might or might not have had with anyone, for that matter. I will tell you, Mr. Speaker, relative to a part of the preamble that relates to health care reform, that Alberta is not alone in talking about the urgent need for reform. In February all Premiers wrote to the Prime Minister saying: "It is imperative that [you] understand that without real reform and renewal and an affordable foundation, health care as we know it will not survive the decade."

The Prime Minister wrote a letter on April 13 – I'll be glad to table copies of this letter – to Premier Binns, who is chair of the Council of the Federation. In that he says, and I quote in part: with regard to health funding the additional \$2 billion to which you refer is over and above the commitment under the 2003 first ministers' accord on health care renewal for an additional \$34.8 billion federal investment over five years. That's good news depending on how it is to be distributed. But the important part of this letter is that we are in agreement that the health care system requires not only funding but also structural reform and renewal.

So, Mr. Speaker, certainly the Calgary health region may have had a contract. I can only commend them for trying something new, trying something that possibly could have created revenue, but if it didn't work out, so be it. At least they tried.

The Speaker: The hon. leader.

Dr. Taft: Thank you. Will the Premier admit that his government's health care privatization plans are out of sync with a recent OECD

study which found that mixed public/private systems could not control costs as well as single-payer public systems?

Mr. Klein: Mr. Speaker, the Liberal leader conveniently alludes to those things that create headlines and make for a good 15-second sound bite, and that's all the Liberals are good for, by the way. I don't know if they're good for 15 seconds, but sound bites they're good for.

Mr. Speaker, relative to health care reform and the whole issue of privatization, this idea or forms of this idea are only one small part of the puzzle. The true health care reform that we contemplate – and the package will be coming to caucus in the very near future – will be a broad process that might take years and must factor in the many complex challenges facing the system. These challenges include how we pay for new technologies, drugs, and infrastructure; how we recruit, train, and deploy health professionals; how we manage and administer the system.

1:50

Mr. Speaker, I believe that Albertans and most Canadians are ready for a change to the system. Notwithstanding what the Liberals say, they know that the system as we know it today is not sustainable. They know in their hearts that a system that requires annual budget increases of 7 to 10 per cent just to maintain the status quo is simply not affordable. The people of this province know; the Liberals don't.

The Speaker: The hon. leader.

Dr. Taft: Thank you. The Premier talks a lot about health care reform, but how can Albertans trust this government to reform their health care system when it tried and apparently failed through budget cuts in 1994, with the action on health plan in 1998, with the health summit in 1999, and with the Mazankowski report in 2002? What's next?

Mr. Klein: Mr. Speaker, all of these things will feed into the health reform. Relative to what took place in 1994, that was the first very significant step under the then health minister, who is now the Deputy Premier. It was a very significant step to take I forget how many health boards – I think there were something like 200 various health authorities – and boil those down into 18 and thus achieve administrative efficiencies. That was a very significant reform in itself.

Mr. Speaker, there have been numerous reforms since then. It's a work in progress, and we will have to continue to keep meeting the challenges of health care sustainability. But I don't apologize at all for what took place in 1994. I think it was very brave. It was a very bold and courageous step, and it achieved very significant administrative efficiencies.

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

Electricity Exports

Mr. MacDonald: Thank you. I wish this government would apologize for electricity deregulation. This government has created behind closed doors an electricity transmission policy that benefits power producers at the expense of Alberta electricity consumers. Last week the Premier overjoyed power producers by signing an agreement that could significantly boost Alberta's electricity exports to the United States. While the Premier's decision guarantees power producers even bigger profits, the Marthas and the Henrys in this

province are still struggling with sky-high electricity bills. My first question, Mr. Speaker, is to the Premier. Why did the Premier not consult with Albertans before he went ahead and threw the switch opening this province to further electricity exports to America?

Mr. Klein: You know, I talked earlier and alluded to the 15-second sound bite. Throwing "the switch": you know, all of these things lend themselves to good headlines but have nothing to do with the truth.

The truth is simply a matter of co-operation with the United States. The hon. member should read the memorandum that was signed by Governor Richardson of New Mexico and myself, and he will find that there is absolutely nothing sinister in that memorandum, Mr. Speaker.

I would like to point out that Alberta's rules ensure that provincial consumers pay for transmission lines only to the extent that they use them. That policy has not changed. Exporters pay for the lines to the extent that they use them, and they also pay for any lines that are dedicated for export. That is the truth. Now, if this man, this person, had any sense of honour, he would stand up and tell the truth for a change.

Mr. MacDonald: Mr. Speaker, the truth is in the Premier's own commission, the Bolger commission, which reports that increased exports will make electricity prices in Alberta higher at times. Why did the Premier sign an agreement that will increase the power bills of Alberta consumers?

Mr. Klein: The agreement, as I've said, was a very innocent memorandum. Well, Mr. Speaker, since he won't listen to me, perhaps he'll listen to the Minister of Energy.

Mr. Smith: Ah, Mr. Speaker, I've been speaking to this member for many years now, and let's continue to try because we'll never give up hope for the hopeless.

Mr. Speaker, when he refers to the Bolger commission, it's very clear that it says, "New supply was added by private sector companies rather than by government." That means no debt applied to the backs of taxpayers, unlike the hundred billion dollars worth of debt that stretches across the nation. Our "new electricity capacity is more environmentally friendly." You are in a province that has the largest amount of wind power energy in the Dominion of Canada. In fact, this government has signed the largest green power contract in North America. "The wholesale power market is working well." That's what the Bolger commission says. Don't revise it here in this room. Be honest.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Premier: given that both Manitoba and British Columbia use the revenue from electricity exports to drive down the price of domestic electricity, will this government step up and do the same to protect Alberta consumers and pass those savings on to the consumers?

Mr. Klein: Mr. Speaker, in one breath he's complaining about the whole notion of even considering the export of electricity, and now he's talking about sharing the benefits of export with Alberta consumers. Of course, we would love to do that.

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

Mr. Mason: Thank you very much, Mr. Speaker. Last week the

Premier signed a deal paving the way for increased electricity exports to the United States, as we now know. While the Premier's buddies in the boardrooms of the energy industry are no doubt looking forward to fattening their bottom lines, this deal will mean even higher power bills for Alberta consumers. Intertwining ourselves with the U.S. market will only put upward pressure on prices here in Alberta. My question is to the Premier. Given the fact that power in California retails at considerably higher prices than it does here in Alberta, how can the government prevent the further spiralling of costs in Alberta's electricity prices?

Mr. Klein: Mr. Speaker, first of all, I stated quite clearly that an export market will only be developed if there is, first of all, a demand and if we can fill that demand.

Mr. Speaker, this energy conference that the hon. Minister of Energy and I attended in Albuquerque, New Mexico, dealt with all matters of energy: electricity, natural gas, oil, solar energy, wind-powered energy, hydro-powered energy. It talked about how we create a North American as opposed to a Canadian alone or a Mexican alone or a United States alone environment relative to the sharing of these resources. Basically, that's all the agreement that I signed alludes to.

An Hon. Member: Table it.

Mr. Klein: I'd be glad to table it. It's a public document. You can get it on the Internet. You don't have to go to www.lib.com or whatever it is. It's on the Internet. It's a public document. I'd be glad to table it if he doesn't know how to use computers. I'd be glad to.

The whole thing is about sharing and developing – sharing and caring and developing – a continental energy policy as it relates to all forms of energy, Mr. Speaker. There can be absolutely nothing wrong with that because like the cattle industry, as I say, we're all in this, and it is an integrated system.

2:00

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Given the experience we've had with the natural gas industry and the Chicago prices we now pay, how can the Premier assure Albertans that we won't be paying even higher electricity prices when power companies can receive higher prices if they export to the United States?

Mr. Klein: Mr. Speaker, I don't know how one conceivably relates to the other. First of all, the policy of this province is that we won't export any power that we need and that will be used in the province of Alberta. Any export of power would have to be on transmission lines paid for by the power companies. Any power would have to be absolutely surplus to our needs. So I don't see how by any stretch of the imagination this relates to the price consumers pay for electricity or natural gas or any other energy commodity in this province.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Let me put it simply. If a power producer can get a higher price for their electricity in the United States than they can in Alberta, why would they sell it here?

Mr. Klein: They would have to sell it here because the policy states

that they must meet the requirements of Alberta before any power is exported. So export power would only be power that is surplus to the needs of Albertans.

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

Beef Exports

Mr. Danyluk: Thank you very much, Mr. Speaker. The United States Department of Agriculture has announced that all remaining conditions on the import of beef from animals less than 30 months of age have been removed. My question is to the Minister of Agriculture, Food and Rural Development. What does this announcement mean for Alberta's cattle industry?

Mrs. McClellan: Mr. Speaker, certainly, the USDA announcement is a significant step in moving the agenda forward on the full integration of trade between the U.S. and Canada in both beef products and live cattle. What this means is that bone-in meat can now be shipped, that ground meat can now be shipped, that processed meat from animals that are less than 30 months of age can now be shipped.

Now, Mr. Speaker, this is only about animals and product from animals under 30 months, but it's I think a very clear signal that the USDA is committed to moving this process forward in a very orderly, scientific, rational manner to the end that we want, which is the complete resumption of trade in live cattle and beef products.

The Speaker: The hon. member.

Mr. Danyluk: Thank you very much, Mr. Speaker. To the same minister. You mentioned that this announcement from the U.S. is a signal on fully reopening the border to cattle and beef trade. Can you tell us how soon you expect the borders to open to all live cattle?

Mrs. McClellan: Well, Mr. Speaker, I wish I could. However, we understand that the United States has a process that they have to follow, and of course part of the process concluded on April 7, when the comment period ended. In the discussions that the Premier and I had with Mr. J.B. Penn, who is the undersecretary of agriculture in the U.S., when we were in Washington some three or four weeks ago, it was very clear to us that they have a strong desire to review those comments that were received in this comment period and the one prior to Christmas expeditiously, that their desire is to move this process forward, and that their desire is to resume normal trade with this industry.

I should say, Mr. Speaker, that in the beef part of this industry this takes us to about 90 per cent of normal trade.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Grande Prairie-Smoky.

Government Expense Claims

Ms Blakeman: Thank you, Mr. Speaker. Taxpayers are angry about the lack of transparency on government travel and hosting expenses. While the federal government moves toward greater accountability, the Alberta government is anything but accountable. My questions are to the Premier. [interjections]

The Speaker: The hon. member does have the floor.

Ms Blakeman: Thank you. When will this government require that

all cabinet ministers and staff report every detail of their expenses on their web sites, just as the federal government now requires?

Mr. Klein: Well, Mr. Speaker, I don't know if that's the way we will go, but I would suggest that the federal government post those small, million-dollar-plus contributions to ad companies in Quebec. Maybe they aren't personal expenses, but certainly they come out of the taxpayers' dollars. I certainly hope these Liberals are not suggesting that we adopt the financial practices of their federal cousins.

Mr. Speaker, we are now evaluating whether we need to change the way that expenses are reported and how we need to do a better job or perhaps don't need to, but maybe we do need to do a better job in the future. Government expenses right now are reviewed annually by the Auditor General. He is involved in this, as is the Ethics Commissioner, and we will act on any recommendations of the Auditor General and/or the Ethics Commissioner. As well, the government's Agenda and Priorities Committee will examine all options related to further reporting on international travel by government members.

So it's a work in progress, but to say that we're going to adopt the federal model, no. We're not going to do it just because the Liberals across the way, these Liberals, say that that's the way we should do it. We'll come up with a plan that is open and transparent and . . .

Mr. Bonner: West Edmonton Mall.

Mr. Klein: West Edmonton Mall has nothing to do with personal . . .

The Speaker: Please, please.

Ms Blakeman: Thank you, Mr. Speaker. Well, given that the Premier's Conservative cousins in Ontario brought in strict rules on expenses while they were still in government, what's stopping this government from following that set of rules? There's another choice for you.

Mr. Klein: Mr. Speaker, as I said, we're evaluating this whole business of expenses as we speak, and we want to have the best system. Now, I don't know much about the Ontario system, and I don't know much about the federal government system other than that we know there's a lot of coverage in the news media lately about the misappropriation of money. We want to have a system that is open, that is transparent, and that basically will hold all members of government, whether they're in cabinet or not, accountable for the expenditures they make. [interjection] And the opposition members, who also have expense accounts. You know, this whole thing, this holier-than-thou attitude, is a bit frustrating because they do run expenses.

That reminds me of the story one time when the NDs were in opposition. One of the hon. members criticized me for using a government plane from Calgary to go to Cold Lake when he drove up there and tried to let on that he wasn't benefiting when in fact he was getting 27 cents a kilometre to go up there and back. So he was making a lot more money than I ever made off that trip, I'll tell you that for sure, and these guys do as well.

2:10

The Speaker: The hon. member.

Ms Blakeman: Thank you. Well, Mr. Premier, for a government that wants Alberta to win the competition with other provinces, why

is this government allowing Alberta to lose the competition on accountability? You don't want to do the federal system; you don't want to do the others.

Mr. Klein: Mr. Speaker, as I said, we're going through this. This is a work in progress. We have absolutely nothing to hide. The payments made to MLAs are published in public accounts, including all MLAs. For instance, the hon. Member for Edmonton-Gold Bar received reimbursement for travel expenses, \$10,075. I don't know where he travelled to or what business he was on. If they want that kind of a breakdown, then we're going to demand that he account for every single kilometre that he travelled and what he saw along the way, where he was going, who he spoke to. [interjection] Well, do it. Do it. If you want to, stand up and report right now.

The Speaker: The hon. Member for Grande Prairie-Smoky, followed by the hon. Member for Edmonton-Gold Bar.

Mr. Knight: Well, thank you, Mr. Speaker. A tough act to follow.

Electricity Exports

(continued)

Mr. Knight: Last week, as we have been informed, the Premier travelled to Albuquerque, New Mexico, for the western governors' North American Energy Summit. That's what the meeting was. On Thursday he signed an addendum to the 2002 transmission siting protocol. That's what he signed. My questions are to the Energy minister. What is the implication to the province of Alberta of signing the addendum?

Mr. Smith: Well, Mr. Speaker, you know, the question becomes so much more clear when the actual facts are stated as opposed to going to www.adlib.com. The addendum is to a 2002 original document. The export policy principles as established by this government are of May 29, 2002. So we do know that the Liberals are at least one if not two years behind.

I can say to the member that, as the Premier has stated and as we're more than pleased to table this protocol, this public document, it's a protocol amongst the Western Governors' Association, the U.S. Department of the Interior, the U.S. Department of Agriculture, the U.S. Department of Energy, and the Council on Environmental Quality governing the siting and permitting of interstate electrical transmission in the western United States.

It goes on to say that it does help to facilitate the protocol of being able to establish transmission links and that the Premier hereby agrees

to undertake best efforts to cooperate with the Original Signatories in meeting the objectives listed in the Protocol recognizing, without altering, diminishing, or expanding the existing jurisdiction, statutory and regulatory responsibilities and authorities or budget processes of the Province of Alberta.

Hardly a secret, profit-based document.

The Speaker: The hon. member.

Mr. Knight: Thank you, Mr. Speaker. Again to the Minister of Energy: can the minister assure residential and small and medium industrial and commercial consumers that they will not pay for future export transmission capacity?

Mr. Smith: Well, Mr. Speaker, if only the Liberals could take a page out of what I think is good question crafting and good fact basing.

Mr. Speaker, we can assure small business, we can assure every

consumer in this province that they will be served first, that this addendum only serves to help lower their prices. It's very, very easy to see where the benefits can accrue to these individuals, businesses, and private persons with the amount of generation that this can attract and create.

The Speaker: The hon. member.

Mr. Knight: Thank you, Mr. Speaker. The last question, again to the Minister of Energy: given the importance of this commodity, could you tell the Assembly why we would export electricity in any case?

Mr. Smith: Well, I think that's actually the question that those folks have been trying to put together all afternoon.

Mr. Speaker, I will remind the House, and do that by tabling at the appropriate period, of the electricity export principles as crafted on May 29 of 2002. Number one of the five guiding principles: "Alberta's electricity needs will be met while also serving export markets."

Now, if you have, Mr. Speaker, new generation – and the 3,000 megawatts of new generation have given us an average wholesale power price this quarter of 4.3 cents per kilowatt hour.

An Hon. Member: How much was that?

Mr. Smith: Four point three cents per kilowatt hour, Mr. Speaker.

This new generation, if it is used completely in Alberta, can then move forward into other marketplaces. As long as people can know that they have a place to sell all their electricity, as Alberta grows, as other jurisdictions grow, we will have new generation, and the new generation is the fundamental underpinning to a good, positive, nonblackout, reliable supply of electricity at affordable prices.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Currie.

Low-income Support Programs

Mr. MacDonald: Thank you, Mr. Speaker. The government's decision to give Provincial Court judges a lower pay raise than they wanted was blamed on a commitment to other priorities. A cabinet document states: "Many priorities would come before increases to judge's salaries – seniors benefits, supplements to supports for independence and AISH issues, and other resources required in the justice system." My first question is to the Minister of Human Resources and Employment. Where are the increased AISH and SFI benefits that this order in council alludes to?

Mr. Dunford: Mr. Speaker, the business plans have been released with the budget. I'll be up for estimates I believe next week or maybe the week after. In any case, in terms of AISH we increased the budget line item that we had for AISH. We're going to go into a formal review of AISH this fall. As far as what we've done on the SFI side, we've gone to a more individually based, need-assessed system.

Mr. Hancock: Mr. Speaker, the hon. member is misreading the reasons that were given and attached to the order in council, and I might just expand for the benefit of the House what he's referring to and why what he's put before the House is a misread of what was said.

Judicial compensation commissions are set up every three years to

establish salaries for judges. As a result of a decision by the Supreme Court of Canada relative to how we determine judicial compensation under the Constitution of the country and the need for judicial independence, we are obliged to follow that format. Once a Judicial Compensation Commission reports, Lieutenant Governor in Council then has to deal with the report of the compensation commission and if it varies from the recommendations of the Judicial Compensation Commission, must provide reasons. In those reasons that were provided and that the hon. member has taken one small piece out of and tried to misrepresent, essentially what we've said is that the Judicial Compensation Commission has said that the raises that they proposed were affordable because the government has an excess of revenue over expenditures.

What we've said in the reasons is that that in itself does not mean that a raise of a particular magnitude is affordable, because you have to look at all the priorities of government and all the things that government has to take into account in determining how to spend and how to be accountable for the public's money. Among all those other things could be included things like raises to SFI or Alberta Works, raises to AISH, raises to seniors. We could have put in the reasons funding for public schools, funding for health care, all sorts of other priorities of government and the people which need to be taken into account.

Therefore, a Judicial Compensation Commission has a very difficult job when it tries to say: there's a surplus; therefore, it's affordable. That's what the reasons said. That's what the reasons mean.

2:20

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. To the Minister of Seniors: where is the increase to seniors' benefits that this document claims to be such a high priority?

Mr. Woloshyn: Mr. Speaker, I don't know in the document specifically where it would refer, but I'll make a couple of statements here. In the last four years the increase to the seniors' benefits program has gone from some \$128 million to \$199 million. The number of seniors has not increased significantly. In the past three years I believe the payouts to individual seniors on ASB is about a 15 per cent increase. The number of folks helped on the special-needs program went from 7,500 to some 15,000.

I could go on and on and state where the programs to seniors in need in this province have improved, Mr. Speaker. When the estimates come up in May, they'll also see that there have been increases for the seniors' benefits program, for special needs this coming budget year.

In addition, Mr. Speaker, they forget to mention that Alberta is the leader – and I underline "the leader" – of all the provinces in implementing and matching federal funding in an area that's of national concern, one called affordable housing. So when they want to reference where the money is going within this department, I'd be more than pleased to answer. [Mr. Hancock rose]

The Speaker: We've already spent five minutes on this. Please. The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. To the Premier this time: now that we have seen these massive increases in the travel and communications budgets of this government, when will the seniors, the disabled, and those on SFI benefits get a much-needed increase in their benefits from this government?

The Speaker: Whoa. I fail to see the relationship between that third question and the first question. We've spent five and half minutes, and I've got a long list.

The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Glengarry.

Telework

Mr. Lord: Thank you, Mr. Speaker. Teleworking represents one of the most important new employment and societal directions in our world today. Teleworking employment could revitalize struggling rural areas, reduce infrastructure demand and downtown traffic congestion, create employment for the disabled, improve the environment, but it could also steal our brainpower away if we don't provide competitive opportunities for employees here. My first question is for the Minister of Human Resources and Employment. Given that productivity gains of 20 per cent average and as high as 50 per cent have been reported amongst large organizations that have introduced major teleworking opportunities, what sort of initiatives is your department involved in that will promote teleworking within Alberta and specifically within the government workforce?

The Speaker: The hon. minister.

Mr. Dunford: Well, thank you for the question, Mr. Speaker. As far as the initiatives go, this is the kind of thing that we would look to for leadership from the private sector. As a government we are aware of the concept and, of course, always want to look at it and stay abreast of current thinking.

I agree with the preamble of the question in the sense of infrastructure, what it can do, and again for quality of life. What I haven't seen addressed in any of the research that I've been able to read to this point is: what is the impact or the downward pressure on wages by allowing people to stay at home? We haven't really had much discussion around those issues to this point but clearly less transportation expense required to get to work, perhaps wardrobe situations. Also, how is the issue of governance handled?

So there are many issues to this, and what looks on the surface of it always as a nice opportunity to provide another means of working – and I do recognize the member's concern about the disabled working at home. This is clearly important. But it's more complex than just a couple of articles out of a paper.

Mr. Lord: My second question for the same minister: given that an EKOS Research survey indicated that 55 per cent of 3,500 Canadian respondents wanted telework options, 43 per cent would switch employers to get telework options, and 33 per cent would choose telework opportunities over even a 10 per cent raise in pay, are there teleworking opportunities on the table in our labour negotiations with our provincial employees now?

Mr. Dunford: Again, as specific as the member would like me to be on this particular issue, the negotiations are going to be coming up later this fall. The demands that the employer will want at the next set of negotiations have not been established as yet, and of course we have no way of knowing at this particular point in time what the demands from the Alberta Union of Provincial Employees will be.

Mr. Lord: My third question is for the Minister of Innovation and Science. Given that the rollout of the SuperNet infrastructure could enable Alberta to become a world leader in teleworking opportunities, what initiatives is your department involved in to promote

telework technology and telework opportunities to Alberta employers?

Mr. Doerksen: Mr. Speaker, the Alberta government is committed to a competitive global marketplace. Knowledge, skills, and innovation are important elements in a knowledge economy. What the Alberta SuperNet provides is the infrastructure to enable the opportunity for all Albertans to acquire the knowledge and skills to compete in the knowledge economy, and more importantly this infrastructure provides the opportunity for innovation that talks about the kind of initiative the hon. member is raising with respect to how we do work, from where it's delivered, because connected communities are all the same size.

Anthony Henday Ring Road

Mr. Bonner: Mr. Speaker, in its March 2004 inventory of major Alberta projects this government lists the southeast leg of the Anthony Henday ring road as costing Alberta taxpayers \$270 million. To the Minister of Transportation: does this amount include the \$75 million that the federal government will be contributing to the project?

Mr. Stelmach: Mr. Speaker, I didn't hear if he said southwest or southeast, but the federal government has made kind of a commitment to the southwest leg. They've said that they will give us \$150 million: \$75 million for Calgary and \$75 million for Edmonton. But we haven't seen that money as yet because we're still negotiating on certain parameters of the agreement, and until those negotiations are done, I can't honestly say that that money is coming, although we are accounting for it in the total project cost.

Mr. Bonner: To the same minister, Mr. Speaker: does the amount of \$270 million include the annual lease payments and the principal and interest costs for the project?

Mr. Stelmach: Sometime ago when we made the announcement on the southeast leg of the Anthony Henday, we were asked: what do you think the cost would be? At that time we said about \$300 million, but since then we have seen some pressures, mostly on bridge structures, and that's related to just a fast rising increase in the cost of steel. I believe it's gone up anywhere from 15 to 30 per cent, and in fact there are some that are only getting a seven-day commitment on the price of steel today.

Mr. Bonner: To the same minister, Mr. Speaker: if Albertans have to wait until a contract is signed before finding out the cost of the project, then how do taxpayers ensure that they are getting value for their money?

Mr. Stelmach: A number of points. One, Mr. Speaker, we've said in this House and continue to say that the request for proposal coming back from one of the three proponents has to make economic sense. We have to see value for the taxpayer dollar invested.

Secondly, I cannot say today on behalf of this government what innovation these companies will bring to their request for proposals. They may want to do that particular stretch of road because of the immense amount of traffic – concrete may be the way to go given the number of car and truck travel. They may have other solutions in terms of mitigating the cost of steel and maybe use more concrete on the interchanges. But I would think that at the end of the day every company will seek innovation and also look at huge amounts of cost savings by not allowing for the mobilization and demobilization of

the equipment. Once they're on site, Mr. Speaker, they'll stay there till it's completed.

2:30

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Mountain View.

Health Care Reform (continued)

Dr. Pannu: Thank you, Mr. Speaker. Two months ago today exactly I first demanded that the Premier make public the Graydon report, the government's blueprint for a two-tiered health care system in this province. For months the government has been working on a strategy to implement the Graydon report and its recommendations for user-pay health care, yet this strategy is being developed in secret behind the closed doors of the caucus and the cabinet room. My questions are to the Premier. Why has the Premier repeatedly promised to make the Graydon report public but consistently failed to actually deliver on this promise made to this House?

Mr. Klein: Mr. Speaker, again, there are some things in the Graydon report that undoubtedly will make for, as I said before, good 15-second sound bites. The problem is that when you feed this kind of material in isolation to the opposition, they say that that then becomes government policy. You know, it's that old saying that yes means yes, maybe means yes, and no means maybe. To them, anything that is mentioned, anything that is on paper becomes government policy.

Now, the Graydon report in conjunction with the Mazankowski report in conjunction with the survey of best practices in other jurisdictions, the national association of ministers of health, the annual Premiers' conference with the Council of the Federation: all of this information will be brought together, and we will consider it as a package. It won't be considered in isolation. That is one of the dangers.

Now, if the hon. leader of the third party will stand up and promise not to highlight and take out of context the Graydon report, then perhaps we'll give it to them, but they won't do that because they will use this for purely political reasons. They will take out the most dramatic and the most sensitive of all issues and they will say: folks, that's what the government is going to do. They will not use it to tell the truth. That is the problem.

Dr. Pannu: Mr. Speaker, the Premier has my promise. Will he table this report here tomorrow?

Given that the government has been planning radical changes to the health care system based on the Graydon report, how can the Premier justify keeping Albertans in the dark about that report? Albertans demand that it be released now.

Mr. Klein: Mr. Speaker, notwithstanding his yelling, he did promise. Well, I have no problems, you know, releasing the Graydon report, but I appeal to anyone, including the media, not to say that that report is the end-all and the be-all. That is like funding. That is like any other issue: one small piece of the puzzle. There are some good things in the Graydon report, some of which might be accepted, some of which might be rejected. But, for God's sake, don't imply or indicate that it's going to become or it is government policy, because it is not.

Now, the hon. Member for Grande Prairie-Wapiti did a commendable job, spent a tremendous amount of time working on that report, and that report will be given the utmost consideration along with a multitude of other information related to health care reform. So if

the hon. leader of the third party gives an absolute undertaking that he will not politicize this and he will not use it for political purposes and he will not stand up and say that this is where the government is heading, if he will stand up and make that commitment, then he might – might – get the report.

Dr. Pannu: Mr. Speaker, once again I give this promise to the House and to the Premier that I'll focus on the contents of the report.

Now I ask him: on exactly what date will he release this report to this House and to the people of Alberta?

Mr. Klein: Mr. Speaker, I only have a promise relative to the contents of the report; I don't have a promise relative to how he intends to use it. I mean, notwithstanding the fact that there are only two of them, they are still politicians.

Mr. Speaker, it will be tabled, as they say, in the fullness of time, and it will be tabled in an appropriate manner so as not to be taken out of context.

head: **Recognitions**

The Speaker: Hon. members, in 30 seconds from now I'll call upon the first of seven to participate.

The hon. Member for Edmonton-Rutherford.

Holocaust Memorial Day

Mr. McClelland: Thank you, Mr. Speaker. Yesterday I was pleased to join you, our Minister of Community Development, the leaders of both opposition parties, and numerous colleagues to mark the anniversary of Yom ha-Shoah, Holocaust Memorial Day.

In 2000 the Alberta Legislature unanimously passed the Holocaust Memorial Day and Genocide Remembrance Act. Through this act we remember the senseless and systematic annihilation of 6 million European Jewish people as well as other victims of genocide.

Today I encourage Albertans to do more than remember. As global citizens we must be diligent in pursuing our responsibility to maintain a vigil, to stand on guard, and to defend others and ourselves against discriminatory behaviour and attitudes. We must listen to the voices of history and educate our children about the horrors of the Holocaust. We must honour those who fought and played an important role in defeating the evil of tyranny. Let's use this time to teach one another that those who live with us are our brothers and our sisters and that together we share the same short moment of life.

Mr. Speaker, as Albertans we will remember, for we must never forget.

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

Juno Week

Mr. Maskell: Thank you, Mr. Speaker. It is my pleasure today to rise to congratulate all the organizers and volunteers who helped make Juno Week in Edmonton, the first week of April, the most successful celebration of Canadian music this country has ever seen. Congratulations to all our nominees: Sandro Dominelli, Aaron Lines, Terri Clark, John Stetch, Amanda Forsyth, Jessica Linnebach, and in particular the Alberta-born rockers Nickelback, who took home two Junos for group of the year and fan choice award.

Alberta's music and recording industry is a vital part of what makes our province such an exciting and vibrant place to live. Thankfully, our Alberta Foundation for the Arts, which receives its funding from the Alberta lottery fund, actively supports our arts community.

I also extend a special thanks to our Minister of Community Development, who along with Mayor Bill Smith and Senator Tommy Banks worked so hard to bring the Junos to Edmonton and to showcase our city and our province to the rest of Canada.

Thank you.

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

Alberta Volunteers

Mrs. O'Neill: Thank you very much, Mr. Speaker. I rise today to recognize some extremely important Albertans, our volunteers, and I would especially like to acknowledge the great work of the Wild Rose Foundation and all participants in Alberta's voluntary sector.

I know that throughout this week there are special recognition ceremonies taking place in almost all of the communities across this province. However, as the representative for the community of St. Albert I would like to recognize those five finalists in the volunteer citizen of the year for 2003. They are Lawrence and Doris Burt, Ferne Carignan, Michael Clulow, Gary Jurke, and Doris Lunn.

We also recognize at this time the leaders of tomorrow, who are the young members of our community who give so selflessly to other members within the community and beyond. They are Sara Hickerty from Bertha Kennedy elementary school, Briana Foster from Richard S. Fowler junior high, Jason LaChapelle from Paul Kane high school, Holli Lizée from the University of Alberta, and the youth group the Columbian Squires of the Brother Anthony Kowalczyk Circle 4759.

I'd like to recognize them and ask all members of this Assembly to recognize the wonderful volunteers.

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

2:40 National Volunteer Week

Ms Blakeman: Thank you, Mr. Speaker. I'm pleased to recognize April 18 to 24 as National Volunteer Week. I hope the hon. members know – and I'm sure they do – how lucky we are here in Alberta. We have a very high level of volunteerism: hours and hours worked with dedication, experience, and, may I say, professionalism.

Coming from the arts, I know that our arts and cultural sector is deeply indebted to volunteers. They work as ushers, build sets and paint them, sell tickets, help with fundraising, transport things. You name it; volunteers do it. Just think of where Alberta's summer festivals would be without volunteers.

I want to honour and thank volunteers that work in some of the other areas like police victim services, literacy, youth sports and recreation, the food banks, blood services, emergency and disaster services, Catholic charities, United Way, the Edmonton Federation of Community Leagues, the SPCA and humane societies, child protection and assistance, the YWCA and the YMCA. The list goes on; I've only touched the surface.

To finish, I want to recognize the people who volunteer on various county, municipal, and government committees bringing the citizen's voice to the issues.

Thank you.

The Speaker: The hon. Member for Redwater.

Smoky Lake Firefighters' Curling Team

Mr. Broda: Thank you, Mr. Speaker. It's great to rise today and recognize four individuals: Ken Osepchuk, Bill Smith, Larry LaFleur, and Jim Henderson. They represent the Smoky Lake fire

department curling team. After winning the provincial firefighters' curling championship, they went on to compete at the 45th annual firefighters' Brier curling championship held in Valleyfield, Quebec, from April 1 to 11. This local team not only represented Smoky Lake but Alberta and competed against teams representing each province, one team from the Northwest Territories, two teams from Ontario.

I would like to thank the community of Smoky Lake for their support and congratulate our local team on winning the Canadian firefighters' championship curling bonspiel. Let's all give them a hearty congratulations.

Thank you.

The Speaker: The hon. Member for Grande Prairie-Wapiti.

Grande Prairie Storm Hockey Team

Mr. Graydon: Thank you, Mr. Speaker. I'm pleased to rise today to recognize and congratulate the Grande Prairie Storm junior A hockey team. The Storm captured their first ever Alberta Junior Hockey League title last Thursday by defeating the Fort McMurray Oil Barons – I see the member has vacated the Chamber; he couldn't stand it – in a dramatic 4 to 2 victory.

For the players, coaches, and training staff this accomplishment represents a moment that will be forever written in the team's proud hockey history. This particular team have only been in existence nine years. The journey continues as the team now moves on to compete at the Doyle Cup in Nanaimo and after that the Royal Bank Cup, which will be held in the city of Grande Prairie May 8 to 16.

On behalf of the members of this Assembly I extend congratulations to general manager and head coach Fran Gow, President Bruce Little, and all members of the Grande Prairie Storm hockey team on this accomplishment. Best wishes for continued success in the year ahead.

Thank you.

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

Millwoods Welcome Centre for Immigrants

Dr. Pannu: Thank you very much, Mr. Speaker. It's with pleasure that I rise today to recognize the Millwoods Welcome Centre for Immigrants. This centre is a joint venture of the Indo-Canadian Women's Association, Mennonite Centre for Newcomers, and Catholic Social Services and was established in 1997 after a study conducted by Dr. Laura Ho which demonstrated the need for such a centre.

The centre now assists approximately one thousand newcomers every year to overcome the challenges of becoming Canadian. In addition to offering classes to improve language and computer skills, the centre arranges for work placements for internationally educated professionals. This service is particularly important given the unacceptably high number of qualified professionals who continue to be underemployed and unable to meet their full potential in their adopted country, Canada.

In Alberta we are in desperate need of improved measures to integrate international professionals into our institutions and our economy. Albertans are truly privileged to live in a multicultural society that is enhanced by the contributions of diverse groups and individuals.

I am truly proud of the work performed by the staff and volunteers of the Millwoods Welcome Centre and thank them for the valued services that they provide to new Canadians.

Thank you, Mr. Speaker.

head: **Presenting Petitions**

The Speaker: The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you, Mr. Speaker. I'd like to present a petition from Edmonton Police Service signed by 151 people petitioning the Legislative Assembly to "support Bill 204, the Blood Samples Act, which will provide more security and peace of mind for people working in occupations who have a higher risk of exchanging bodily fluids with a potential carrier of a blood borne disease."

Thank you, Mr. Speaker.

head: **Tabling Returns and Reports**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you. Mr. Speaker, I rise to table copies of the House leaders' agreement that was signed today by the Government House Leader as well as by the House leader of the Official Opposition and by the House leader of the third party. It's my understanding that it has to be photocopied and circulated to all members of this Assembly as soon as possible, so I will provide a copy now to the page for that purpose.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I would like to table five copies of the documents I referred to during my question today, and that is the federal government's new guidelines for ministers' offices on disclosure and accountability around personal travel and hosting expenses. It includes some sample pages from the web sites in which they go into layers of detail right down to the purpose of the meeting, how many people were at it, what the cost was, that level of detail. Most informative. I do recommend it to everyone in the Assembly.

Thank you.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you, Mr. Speaker. I have one tabling this afternoon, and that's a letter that I had written on March 31, 2004, to the hon. Minister of Finance, and this is in regard to credit scoring as an underwriting tool for the insurance industry in Alberta.

Thank you.

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

Dr. Pannu: Thank you, Mr. Speaker. I rise to table two documents today. The first is a letter from Elisabeth Ballermann, the president of the Health Sciences Association of Alberta. The second document is a news release from HIV Edmonton dated March 22 of 2004. Each of these documents expresses serious concerns that many Albertans have about Bill 204, the Blood Samples Act.

Thank you.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you. Mr. Speaker, I have two quick tablings this afternoon as well. One is the Clearwater/Christina rivers management plan, and I would like to just have it noted that this is Alberta's first provincial/Canadian heritage rivers designation. It's intended to recognize the interests of everyone who lives along

that river and uses it for recreation purposes, and it demonstrates the importance and the value of these partnerships in preserving and enhancing Alberta's wetlands and aquatic ecosystems.

My second tabling is on behalf of our Deputy Premier, who is also the Minister of Agriculture, Food and Rural Development, and it is responses to questions that were raised during interim supply estimates on March 17, 2004, in this House.

Thank you.

head: **Orders of the Day**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. In accordance with the House leaders' agreement, which I just tabled and which was signed earlier today by the three House leaders and acknowledged by yourself I believe, I would move that the Assembly provide unanimous consent to give effect to this House leaders' agreement, specifically consent under point 5 of that agreement to waive Standing Order 34(2.1)(a) regarding an amendment in that agreement and to allow the removal of the motions for returns identified at 4(b)(iii) and 5(b) of that agreement and to waive Standing Order 34(2) to allow the Assembly to move on to public bills and orders following the Assembly having dealt with Motion for a Return 23 as outlined in that agreement.

2:50

The Speaker: The procedure today is very, very unusual, but I do want to compliment those who've worked together over the last several weeks in attempting to build a consensus with respect to this matter. It was not always easy on previous Mondays in terms of this.

The request is being made here today on the basis of a motion of the hon. Deputy Government House Leader calling for three items which are located on page 3 of 3. This is not all being read into the *Hansard* because we'll have it published anyway in the *Journals* of the House. The request is for unanimous consent to see three things moved, and all hon. members now have a copy of this document in front of them.

[Unanimous consent granted]

The Speaker: Unanimous consent having been given, as we move through the afternoon, additional comment will be made with respect to this, but again congratulations for attempting to unravel a little roadblock.

head: **Written Questions**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker, and may I just say thank you to all members of the House for allowing that unanimous consent, which will allow us to speed along and provide as much information as possible and get on with other business thereafter.

Mr. Speaker, proper notice having been given on Thursday, April 1, it's my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places with the exception of written questions 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59.

[Motion carried]

Children's Services Contracts

Q47. Ms Blakeman moved on behalf of Dr. Massey that the following question be accepted.

What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report to strengthen the processes used by the Ministry of Children's Services for awarding and managing contracts in order to save taxpayers' dollars?

Ms Blakeman: We have asked for this question in this format as we're not always able to examine every ministry before the Public Accounts Committee. We have put a number of written questions on the Order Paper in order to ensure that we're able to make public the questions and hopefully the responses from the government.

This is a fairly straightforward question. I'm expecting a positive response from the government and provision of the information that has been requested.

Thank you, Mr. Speaker.

Ms Evans: Mr. Speaker, I am very pleased indeed to respond on behalf of the government and accept Written Question 47.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: Thank you.

[Written Question 47 carried]

Lottery Fund

Q49. Ms Blakeman moved that the following question be accepted.

Which reports, consultation groups, and stakeholder reviews have indicated to the government that money allocated to the lottery fund is best spent by the government rather than being returned to the local communities where the gambling revenues came from?

Ms Blakeman: This is an attempt on my part to ascertain the logic behind the dismantling of the community lottery boards. Now, that in fact happened some two years ago now. It came into effect at the beginning of last year I think, and there was a fair to-do when the community lottery boards were dismantled. In response to the concerns raised by the opposition and by the community, the government responded with a different program with different processes, limits, and requirements.

I have been unable to get a clear answer from the government as to why they decided to dismantle the community lottery boards of the time, in which money was allocated on a per capita basis and the decision-making process happened in the communities or on a regional basis very close to the communities. The process that's in place now is a centralized decision-making process, very close to government, does not have that same community outreach. Members of the community continue to make clear to me that they far prefer the other method.

I'm interested in receiving the basis on which the government made its decision. So I am looking for documentation. I'm looking for reports or consultation groups or the stakeholder reviews that did indicate to the government that people preferred to have those decisions made by government rather than in the local community.

Thank you.

The Speaker: The hon. Minister of Gaming.

Mr. Stevens: Thanks, Mr. Speaker. There are two general areas that I'd like to cover by way of response. The first is that the Alberta

lottery fund and the programs, generally speaking, that we have under that are as a result of listening to Albertans. There are specifically three reports – the Gordon report in 1995, called New Directions for Lotteries and Gaming; the gaming summit report in 1998; and the licensing policy review in 2001 – all of which are public and can be found on the ministry web site.

Additionally, I can advise that on an annual basis we in Alberta Gaming do poll Albertans to determine what level of satisfaction they have with respect to how the lottery fund revenue is used, and the most recent information is that 70 per cent or indeed a high percentage of Albertans are satisfied. That is reported in our annual report, and the annual report is also a public document that can be found on the ministry's web site.

The second general point that I wish to make, Mr. Speaker, is that lottery dollars are directly returned to Alberta communities through the fund. The hon. member refers to the community initiatives program, that was established in 2002. There were questions at that time as to why the predecessor was dismantled, and they were answered at that time. The answer with respect to the dismantling is that the previous program was eliminated because of lack of funds in the budget. That was the answer at that time, and it remains correct today.

The program that took its place was the community initiatives program, which over the past two years has had some \$60 million allocated to the communities and the charities in those communities. In excess of 2,500 grants have been granted. The program is again in place for this year and likely will continue into the future.

I must say, Mr. Speaker, that from my point of view the evidence is very clear with respect to this program. There has been no to-do. I do not receive letters from people saying that this program is not successful. Indeed, it seems that on a daily basis I receive letters from all areas of the province which, in fact, say that this program is overwhelmingly successful, that it is incredible.

In that regard, I do wish to file 16 letters directly related to the hon. member who has asked the question, letters of support that she had signed, three in number, and 13 letters from charities in her community which say that this particular program is outstanding. I don't have any letters from this hon. member's community that I'm aware of saying anything other than that. So I don't know who she's talking to, but I know that those people are not talking to me. Perhaps she can make that connection so that I do have some point of view other than one which is that this program is working very well indeed.

So the bottom line, Mr. Speaker, is that I have referred to various public documents. I will be filing with the Legislature the requisite number of letters that I've referred to, which are reflective of the dozens and dozens and perhaps even hundreds of letters that we have received over the past two years that simply speak to the incredible success of this program. I therefore urge the Legislature to reject this question.

3:00

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: Thank you very much, Mr. Speaker. Well, I'm disappointed to hear that the minister is refusing to provide the information and, further, is making an end run around the accuracy of some of the reports that he quoted. In fact, if we're going to look at what came out of the gambling summit and if we're going to look at what came out of the Gordon report, they were very specifically recommending and, in fact, from those two flowed the creation of the community lottery boards, not the community initiatives program.

So to somehow refer back to them and say, "Well, no, that was the impetus on which the government decided to dismantle the community lottery board and institute a lesser program," it's hard to forgive that kind of use of the truth, frankly.

I'm wondering if he's referring to the recent use of proceeds and licensing around the casino and bingo reports as his third reference there, as a reasoning. Well, there's no connection at all to that report, to the information that I was seeking here, so I wouldn't accept that referral as any kind of information around this.

I'm curious as to why the minister does not receive copies of the tablings. Certainly, at the time the community lottery board was dismantled, I tabled dozens and dozens of letters from organizations. There were media conferences. There were long lists of people that signed letters of concern and petitions. So I'm concerned with the process that exists in the Conservative caucus if information like that is not shared with the minister that needs to be seeing it.

Frankly, to pretend that a letter that I would write in support of an organization in my community applying for funds is some kind of example of my approval of a given program is simply not accurate. To organizations in my constituency that come to me for a reference or a letter of support in order to be applying for community facility enhancement money or any of the other lottery grant, lottery-funded programs that are out there – Wild Rose Foundation, Alberta Foundation for the Arts – I'm not going to say: no, I'm not going to write you a letter of support because the Minister of Gaming might get up at some point in the future and use that letter of support to somehow say that I do or do not support the given program. That's ridiculous, Mr. Speaker. Of course I'm going to assist those organizations. That's who I'm here to represent and support.

But signing a letter that says that this organization, you know, is a well-known organization, has a good volunteer base, manages its money well, has a good project that is worthy of support does not, then, in turn say that I think the community facility enhancement program or the CIP program is a good or bad program. I'm there to support the organizations that are asking for support, and letters supporting them are not – you cannot extrapolate that to a specific support or nonsupport of a government program.

Finally, the minister makes reference to polls that he's conducted, but the polls themselves are not released. What we get is a little tidbit of information here, reference in a performance measurement there that says that there is a 70 per cent satisfaction, but we don't get to see what the polls are. We don't get to see who they went out to, what the polling number was particularly. So that's not useful information either.

I think that at best the minister has ducked around what's being requested here. He's flat out refused to provide the information that's been requested. Remembering well the controversy at the time, it just leaves me saying: what's the government hiding if they refuse to provide the information? So a most unfortunate turn of events in having the minister decide not to give us the information. From this we're only left to decide that they really didn't have any information. I'm disappointed in the decision of the minister.

Thank you.

[Written Question 49 lost]

Seniors' Housing

Q50. Ms Blakeman moved that the following question be accepted.

What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report that the Department of Seniors improve

its system for monitoring the performance of management operations that deliver social housing programs for the ministry?

Ms Blakeman: Now, this is one of the questions that I was specifically referring to with my opening remarks, Mr. Speaker, in that we don't get to see a full rota of the ministries during any given year of Public Accounts Committee meetings. We only meet while the Legislature is in session, which severely restricts the number of departments that we're able to scrutinize. In trying to make sure that we got some things on the record, I did put these questions through as written questions. Public Accounts has in fact met with the minister, but I look forward to his response to this specific question and his provision of the information that has been requested.

Thank you.

The Speaker: The hon. Minister of Seniors.

Mr. Woloshyn: Thank you, Mr. Speaker. On behalf of the government I'm prepared to accept Written Question 50.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: My thanks to the minister.

[Written Question 50 carried]

Business Resumption Planning

Q51. Ms Blakeman moved on behalf of Mr. MacDonald that the following question be accepted.

What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report that the Department of Government Services make provision for appropriate recovery facilities and equipment to resume business operations if a service disruption occurs?

Ms Blakeman: We had discovered, in examining public accounts previously, that there was some disarray around business resumption after a disaster. The Minister of Municipal Affairs has answered some of those questions when appearing before Public Accounts, but in this case we're specifically interested in what the Department of Government Services has done and what plans are in place because this is the government department that handles so many of our legalities and technicalities, if I may, things like the motor vehicle registration, the registries, which have now been privatized. Nonetheless, they're still ultimately responsible for them. What plans are in place for resumption of business should a disaster strike?

So I'm interested in hearing from the minister whether he's willing to provide us with his response. Thank you.

The Speaker: The hon. Minister of Government Services.

Mr. Coutts: Mr. Speaker, thank you. We will respond and indicate that the government is pleased and prepared to accept Written Question 51.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: My thanks to the minister.

[Written Question 51 carried]

Licence Plates

Q52. Mr. Bonner moved on behalf of Mr. MacDonald that the following question be accepted.

What did it cost the government to recall all licence plates issued with the letters BSE and issue new ones?

The Speaker: The hon. Minister of Government Services.

Mr. Coutts: Thank you, Mr. Speaker. We're prepared to accept Written Question 52 and also just add into the record, so that folks know, that the total cost of recalling the licence plates that had the prefix BSE on them comes to \$715.10. To recall and actually replace those plates was \$439, and the shipping charges around the province were \$51, and replacing 31 plates that were returned by the public – we gave the public the opportunity, if they had already bought and secured a plate that had BSE as a prefix, to return it – cost \$225, for a total of \$715. We accept that we will send that information back to the Member for Edmonton-Gold Bar in writing.

3:10

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

Mr. Mason: Thank you, Mr. Speaker. I wanted to just make a few comments in connection to this. I appreciate that the Government Services minister has given us the amount of money that's involved here, and I also appreciate that the amount of money is relatively small, but this particular question raises eyebrows, I think, when people hear that the government actually took the step of recalling licence plates issued with the letters BSE.

It is one of the, I guess, sillier actions of government, and I would really like to understand why the government felt it was necessary to withdraw these licence plates simply because they had the letters BSE on them and whether or not there's a policy around this if the three letters in a licence plate happen to coincide with some other unfortunate abbreviation. None of them actually spring to mind, but I'm sure there probably are a number that have been proscribed because of any unfortunate connotation. What's the policy with respect to this? When did the government make the decision and why?

The Speaker: The hon. Member for Edmonton-Glengarry to close the debate.

Mr. Bonner: Thank you, Mr. Speaker, and thank you to the minister for the breakdown in costs associated with licence plates that were issued with the letters BSE.

[Written Question 52 carried]

The Speaker: Now, just a second. There's a very interesting consequence of what happens here. Remember that it is the Assembly that has to give acceptance to the question. What would have happened if the hon. minister, as he did, gave the answer but then the Assembly turned down the motion? Would there then have been a point of privilege against the hon. Minister of Government Services for having believed that he was above the Assembly? This is one of those interesting little procedural questions that today was rather innocent but on another day could have been something else.

Construction Grants

Q53. Mr. Bonner moved that the following question be accepted. What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-

2003 annual report that the Department of Infrastructure require grant recipients to formally accept the terms and conditions of construction grants including roles and responsibilities, consequences for failing to adhere to the terms and conditions, reporting requirements, and the ministry's right to audit the grant recipient's use of taxpayers' money?

The Speaker: The hon. Minister of Transportation.

Mr. Stelmach: Thank you, Mr. Speaker. On behalf of the Minister of Infrastructure we're prepared to respond and indicate that the government is prepared to accept Written Question 53.

The Speaker: The hon. Member for Edmonton-Glengarry to close the debate.

Mr. Bonner: I'd like to thank the minister.

[Written Question 53 carried]

Regional Police Forces

Q54. Ms Blakeman moved that the following question be accepted.

Which communities is the Solicitor General working with to establish regional police forces?

Ms Blakeman: Mr. Speaker, this is flowing from the original draft report of the MLA committee that reviewed the Police Act. They came out with some initial concepts which the Solicitor General examined over the summer and fall, came back with some responses, and then we didn't hear anything more from them for two years until just recently when we had the government's acceptance and rejection in final form. This flowed out of that because I was interested in what work was actually being done and which communities were being actively worked with to achieve this.

I think there's still a debate around whether regional policing is the most effective, but I'm at this point very interested in it because I think that's a way for costs to be contained and services to be shared without getting into the more formal structure of a provincial police force, which I am not in favour of. I think this is an interesting proposal, and I'd like to see where it's being considered. So the question is on the Order Paper for the Solicitor General at this point, and I'm hoping that she will support my request and grant the information.

Thank you.

The Speaker: The hon. Solicitor General.

Mrs. Forsyth: Thanks, Mr. Speaker. I'd like to propose an amendment to Written Question 54 if I may. I move that Written Question 54 be amended by striking out "regional police forces" and substituting "regional police services." So the question will read, "Which communities is the Solicitor General working with to establish regional police services?"

The amendment, Mr. Speaker, uses the term "police services" instead of "police forces" because that is in keeping with the legislation as well as the philosophy and role of policing in Alberta. This amendment has been approved by Parliamentary Counsel, and I believe it's been passed around. I know I have a copy. At this time I move that Written Question 54 be accepted with the amendment.

[Motion on amendment carried]

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

Mr. Mason: Thank you, Mr. Speaker. I'm pleased to speak to this. I appreciate the minister's comments, and I appreciate as well the minister's amendment, which I supported.

You know, it's an interesting question, Mr. Speaker, the question of regionalizing municipal services and particularly police. I happen to think that regionalization of services is a good step to take and one that we ought to support, and I'm pleased that the minister is going in this direction. It doesn't make sense to me, taking for example the Edmonton regional area, to have a number of police forces. In fact, what actually occurs is that we have RCMP operating in different communities and you have the city police.

When I was involved in the Federation of Canadian Municipalities and, as well, at Urban Municipalities Association meetings, I often heard the concerns by municipalities who had RCM Police about the lack of responsiveness to their local needs. It was very difficult, indeed, sometimes to have responsive policing. Particularly, the RCMP had lagged considerably behind. I don't know if they've made up lost ground since that time, Mr. Speaker, but they had lagged considerably behind the municipal police forces of Edmonton and Calgary in implementing community policing. This was very difficult in such a centralized body as the RCMP is. You can't have community policing if it's directed from Ottawa, and that presented a real difficulty.

3:20

I think there are very substantial cost savings that could be realized as a result of this regionalization, but the problem comes, Mr. Speaker, in that smaller communities are very concerned about any attempts to enforce a larger municipality's control over their services. They like to keep control of their local services. So that's a challenge, I think, for the minister. She needs to find ways in which local communities can actually increase a degree of local control in a regionalized police service, and I think there is lots of potential to do that with respect to regionalization if it's done in a sensitive manner.

Mr. Speaker, I guess in conclusion I would like to commend the minister for moving in this direction. I would suggest that there needs to be strong leadership if we're going to overcome some of the parochialism that does exist with respect to different municipalities jealously guarding their powers and authority.

I think there is a tremendous opportunity to improve policing, make it more sensitive, implement community policing more thoroughly, and indeed to save a considerable amount of money, and I would think that one of the first things the government should do is try and come up with some financial information that would indicate what savings ought to be realized. It's been said that there are too many municipal politicians, all of whom are able to, you know, draw a salary, require administrative support, and so on. How many police chiefs do you need? How many fire chiefs do you need? How many heads of sewer departments and so on do you actually need in order to deliver those municipal services?

I think the provincial government does have a leadership role here, Mr. Speaker. I think it's clear that if they do provide strong and firm leadership, they can save municipal taxpayers a great deal of money and at the same time can improve the service, as the hon. Member for Edmonton-Centre has suggested, correctly in my view, in avoiding going to a provincial police service, which I think would not be the best solution at all. There are lots of gains that can be made by co-operation between municipalities and by regionalization, and I'm sure that the Minister of Municipal Affairs would also agree with that type of statement.

So, Mr. Speaker, I would again just want to indicate my appreciation to the minister for accepting the question, to the hon. member

for raising the question, and hope that this will in fact see the light of day and the citizens of Alberta will be the beneficiaries.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: Thank you very much. I look forward to receiving the information. It should be very informative. Thank you.

[Written Question 54 as amended carried]

Construction Grants

Q55. Mr. Bonner moved that the following question be accepted. What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report that the Department of Infrastructure protect the spending of taxpayers' dollars by strengthening its monitoring process for construction grants?

The Speaker: The hon. Minister of Transportation.

Mr. Stelmach: Thank you, Mr. Speaker. On behalf of the Minister of Infrastructure I accept Written Question 55.

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

Mr. Mason: Thank you very much, Mr. Speaker. Well, I'm pleased to rise to speak to this written question, and I appreciate that the minister has agreed to answer it. One of the things that I think is very important is that we do have a clear understanding of exactly how one might want to ensure that construction grants are well spent. The Auditor General did say in his recommendations in the 2002-03 annual report that the Department of Infrastructure should protect the spending of taxpayers' dollars by strengthening "its monitoring processes for construction grants." So I think it's a very pertinent question, and indeed I would urge all members to support the motion.

You know, the provincial government spends a great deal of money on this type of grant. The Auditor General makes recommendations, and usually these recommendations are well thought out, so it's important that we get an answer to the question. I do believe that the government should be taking strong action. I know that in my experience, again in municipal politics, there were oftentimes construction projects which were approved that were not the most effective use of taxpayers' money, and a good strong oversight I think is absolutely essential if we're going to continue to do that.

I remember one instance, Mr. Speaker, where a project to build a sewer was approved in the city of Edmonton. It was called the Highlands sewer, and since I come from Edmonton-Highlands I know a little bit about that particular project. It was an interesting project. There was an existing sewer that flowed from . . . [interjection] Absolutely. I'm using this as an example of what can go wrong, hon. minister. I'm not saying that it was your project at all, but you see that in the absence of really strong measures to make sure that these projects are well managed and cost-effective, this kind of thing could even happen in this minister's department, believe it or not.

In this particular case an outside company was brought in which looked at the existing sewer and said: "Well, you know, it's 30, 40 years old. We don't even know if it's a valid project. It might collapse. We can't test it. We can't examine it. So what we're going to do is we're going to build a brand new parallel Highlands

sewer, the new Highlands sewer, because we don't know if the old one is in good enough shape."

What happened is that they went along and they started to build this sewer. They got most of the way through it, and they spent close to \$50 million, Mr. Speaker. That's a lot of money. Then a problem occurred in Gold Bar park, and there was an eruption of sewage from this partially completed line because there had been a rainstorm and all of the water got into the sewer and it surcharged and it erupted. It wasn't quite finished. It hadn't quite got all the way to the Gold Bar Wastewater Treatment Plant.

So we got the city auditor general involved, Mr. Speaker, and he began to examine this project and interestingly enough came to the conclusion that there was a big problem with the design of the new sewer but, furthermore, raised questions about the old sewer. Then the department claimed at that point that two sewers were needed to handle expansion, but the auditor general pointed out that even if they were both completed, the waste-water treatment plant only had enough capacity for one sewer.

3:30

So they built a second line to double the capacity of the waste-water treatment plant. They would need millions and millions of dollars to expand the waste-water treatment plant, and that wasn't even in the plan. So the lack of oversight in this case ended up costing the taxpayers \$40 million or \$50 million, yet the administration and the construction and engineering firms wanted to forge ahead and finish the line for an additional \$17 million.

Then it was discovered, Mr. Speaker, that in fact the old line could be inspected, and an engineer was put in charge of inspecting that line. Sure enough, the inspection showed that the old line was not in danger of collapse – in fact, it was in very good shape – and further found that the line could not only be inspected; it was designed to be inspected. If the outside firms had taken the time to actually look at the original plans for this sewer, they probably would've been able to determine that and save the taxpayers a lot of money.

So here's an enormous waste of taxpayers' money on an absolutely unrequired line when the first line could've been inspected all along. Had proper safeguards as proposed by our Auditor General been in place at that time, the taxpayers would have been saved a great deal of money.

Mr. Speaker, I just want to indicate that it is very important. This question is very, very relevant, and I think the hon. Minister of Transportation is quite right in accepting this motion because without these kinds of safeguards a great deal of money can be wasted. I know that all hon. members want to ensure that that does not in fact happen. So I am pleased to support the motion and commend the minister and the hon. member for asking and agreeing to answer the question.

Thank you very much, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Glengarry to close the debate.

Mr. Bonner: Yes, Mr. Speaker. I would like through the Minister of Transportation to thank the Minister of Infrastructure for accepting Written Question 55.

[Written Question 55 carried]

Natural Gas Rebate Program

Q56. Mr. Bonner moved on behalf of Mr. MacDonald that the following question be accepted.

How much money in total was distributed to utility customers in January 2004 through the government's natural gas rebate program?

Mr. Bonner: Now, once again this is one of these essential questions whereby the opposition would like to certainly hold the government accountable in that we know where taxpayer dollars are going. So I look forward to the reply from the minister.

Thank you, Mr. Speaker.

The Speaker: The hon. Minister of Transportation.

Mr. Stelmach: Thank you, Mr. Speaker. On behalf of the Minister of Energy and on behalf of the government I wish to indicate that we are prepared to accept Written Question 56.

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

Mr. Mason: Thank you very much, Mr. Speaker. I again am quite pleased that the government has agreed to this question because I think this is one of the most relevant questions that has actually been put in this session.

You know, we have seen government numbers with respect to this, Mr. Speaker. There were a variety of programs just before the last election. We do have a global figure for this, and it is \$4.2 billion, but that includes a multitude of programs including the electricity rebate program, including the \$150 down and \$150 after the government is re-elected. All of those programs, I think, deserve a great deal of scrutiny from the people of Alberta. So I think the question is quite relevant.

The charge has been made that the provincial government essentially bought its way out of a very difficult position with respect to utility costs before the last election. As we know, just before this election there was a tremendous spike in electricity prices caused precisely by deregulation, and there were a lot of unanswered questions about that around the time.

[Mr. Shariff in the chair]

For example, there was participation in the energy market at that time by the American energy company Enron, and, Mr. Speaker, as we well know, there were a series of charges brought against Enron in the United States for manipulating electricity prices among other sins. Enron has been subject in the United States to prosecution and heavy penalties for their manipulation, but their role in Alberta has never been clarified. Certainly, with the high prices in electricity at that time the bottom line of Enron and other energy companies did not suffer. The question is: did that kind of manipulation of electricity prices take place in Alberta? This is a question the government, unfortunately, has been unwilling to ask or even to look into.

We've raised this issue before. The Minister of Energy has declined to order an investigation into that period of time. So then the government response was not to get to the bottom of the price spike and the high prices that people were paying both in gas and electricity but to order rebate programs. I just want to indicate that I think that the \$4.2 billion was an outrageous amount of money.

It's interesting, Mr. Speaker, as well, that since that time the government has not spent anywhere near as much money on rebate programs. In fact, before this winter we were able to say that they had not spent a nickel on rebate programs since the election. They spent \$4.2 billion – that's billion with a "b" – before the election, but after the election nada, not a penny, until, of course, finally, finally

gas prices got so high and stayed so high for a sustained period of time that they actually reached the trigger that the government thought it had set outside the reach of the actual prices, and we actually did get some rebates in terms of natural gas over the past winter months. That was the first time that Albertans had seen any kind of energy rebate since the last election.

[The Speaker in the chair]

So the question really is: why would the government spend \$4.2 billion on rebates just before the election and then cut them off, just cut them off, once the election was out of the way? What are the possible election – sorry; that was a bit of a Freudian slip. What were the possible reasons for that? Could it have been that they weren't needed? No. We found that prices for electricity and natural gas stayed high. They didn't quite spike as high in the electricity sector as they did just before the election, but they remained very high, and we saw continued increases in natural gas prices as well.

3:40

Certainly, in the area of electricity there was a considerable sustained increase. In fact, Mr. Speaker, Alberta now has the highest electricity prices in the country. That wasn't the case – that wasn't the case – before deregulation. We now have prices that are anywhere between 60 to 80 per cent higher than before deregulation. The government has not come up with rebate programs to help Albertans handle that nor have they been willing to change their mind on deregulation, which is really the source of it.

But, you know, there's still hope, Mr. Speaker, because we know that Bill 1, not the last Bill 1 but the first Bill 1 after the election, was a bill sponsored by the Premier. I can't quite recall the title of that bill, but it basically allowed the government to implement any energy rebate program for any amount, for any reason, for any period of time. It gave the government, in fact, complete freedom in order to create a rebate program for energy purposes.

So as we approach the next election, Mr. Speaker, I have some confidence that they may wish to revisit this decision to cut off energy rebates after the last election, and we may in fact see new energy rebates. I suspect, though, that that will have more to do with government polling, public opinion polling on their popularity, than it actually has anything to do with the price of electricity or natural gas.

Certainly, we've seen high and sustained prices for natural gas. They're continuing to rise as we run out of natural gas in North America and we continue to pump that natural gas across the border without taking any of the volatiles out of it thereby depleting our reserves to dramatic levels, exporting jobs, all as a result of the government's negligence with respect to this important resource. They would prefer to get as much money as possible for their unanticipated, in quotations, surpluses by selling as much natural gas at as high a price as they possibly can without regard to the future requirements of the Alberta economy or, indeed, the future requirements of people who depend on natural gas to heat their home or their business or their farm.

So, once again, Mr. Speaker, to conclude, I think that this particular motion is indeed relevant, and I think that the people of Alberta will be interested to know just how much money was spent by the government in order to pay the January 2004 natural gas rebate program.

Thank you very much, Mr. Speaker, for this.

The Speaker: The hon. Member for Edmonton-Glengarry to close the debate.

Mr. Bonner: Thank you.

[Written Question 56 carried]

Construction Contracts

Q57. Mr. Bonner moved that the following question be accepted. What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report that the Department of Infrastructure protect the spending of taxpayers' dollars by implementing a process to ensure that contracts with construction managers protect the ministry's interests as the fund provider and are cost-effective?

The Speaker: The hon. Minister of Transportation.

Mr. Stelmach: Thank you, Mr. Speaker. On behalf of the Minister of Infrastructure we accept Written Question 57.

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

Mr. Mason: Thank you very much, Mr. Speaker. I want to indicate to the Assembly that I appreciate the government's response to this written question. The written question specifies what measures the government has taken to implement the Auditor General's recommendation contained in his 2002-03 annual report that the Department of Infrastructure protect the spending of taxpayers' dollars by implementing "a process to ensure that contracts with construction managers protect the Ministry's interests as a funder and are cost-effective." Once again, this is an important recommendation, and I think that it's a relevant question to be asking the government, so I'm pleased that they're going to provide an answer to it.

Certainly, contracts with construction managers need to protect the ministry's interests, and the ministry needs to make sure as the fund provider that these contracts are in fact cost-effective. I know that there are lots of members opposite that believe that providing contracts, or contracting out or outsourcing, is the most cost-effective way to deal with it, but certainly unless appropriate steps are taken and a process is established that would make sure that the ministry's and the taxpayers' interests are protected, this is not necessarily the case, and there are many examples of shortcuts that have been taken that have failed to really protect the interests of the government who has let the contract.

I remember there was a book that I read a few years ago called *Reinventing Government*. *Reinventing Government* strongly suggested that the best way to do it was to outsource contracts, but it also required that you use modern techniques to monitor the contract, monitor the efficiency of the contract, the cost-effectiveness, and make sure that shortcuts weren't taken that would undermine those things.

I think the principle that they used in *Reinventing Government* – and this was a text that I think the government used in their so-called revolution of the mid-90s – is that the government ought to be steering and not rowing. But, in my experience, Mr. Speaker, quite often when the government contracts out, it's actually quite rudderless and steps are not in place to ensure that these contracts actually do what the government department wants done and do so in a way that protects the interests financially and otherwise of the taxpayer.

So I've never really bought into some of the notions contained in *Reinventing Government* in the same way that this government has, but I would draw attention to the authors' contention that unless there are appropriate safeguards in place, you will not be able to ensure that contracts actually provide a more cost-effective means of accomplishing something than government doing it itself.

In fact, we've all heard the famous quotation about the consultant who borrows your watch to tell you the time, and I think we've all had experiences with that kind of consultant. The same thing applies in a general sense to contracts, whether they be directly for construction services or for construction managers to look after the projects, and so on. Their interests aren't necessarily the same interests as the government's. They have their own personal interests, their own businesses to run, and so on, and they need to make a profit on that as well. So they always have an interest, I think, in minimizing costs. That can be a good thing if we can benefit by it, but if we end up paying later for their omissions, it can in fact be a very negative thing indeed, and the result is, I think, that we need to make sure that these processes are in place, as the Auditor General has indicated.

3:50

I would urge members to support the motion. I know that given the minister's comments with respect to this, most members will no doubt look very favourably on this motion for this written question. I hope that it will in fact pass the Assembly. Again, Mr. Speaker, I would like to congratulate the member for bringing the question and the minister for agreeing to answer it.

Thank you, Mr. Speaker.

Mr. Bonner: I thank the minister for accepting this question, Mr. Speaker.

[Written Question 57 carried]

Construction Grant Payments

Q58. Mr. Bonner moved that the following question be accepted. What measures has the government taken to implement the Auditor General's recommendation contained in his 2002-2003 annual report that the Department of Infrastructure make all construction grant payments through the consolidated cash investment trust fund bank account?

Mr. Bonner: Mr. Speaker, again, I think this is an excellent suggestion by the Auditor General, and it certainly will enhance the process of openness and transparency that taxpayers do require and request with their taxpayer dollars.

Thank you.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I'm pleased to indicate on behalf of the hon. Minister of Infrastructure that he and the government are prepared to accept Written Question 58.

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

Mr. Mason: Thank you, Mr. Speaker. I just want to indicate that I always . . .

Mr. Dunford: Filibuster. He's opposed to private members' bills.

Mr. Mason: Well, the hon. minister is saying that I'm opposed to private members' bills. Not in the least, Mr. Speaker. But I do think that we need to examine these written questions very carefully because I think they're very valid. I'm pleased that the government has indicated that it's going to support this particular Auditor General's recommendation.

You know, Mr. Speaker, I am a member of the Public Accounts Committee, and I certainly find it an immensely valuable experience

for me as a Member of this Legislative Assembly. The opportunity to ask ministers questions in a less formal setting and in a less adversarial setting is extremely valuable. The Auditor General is always present at those meetings, and I think he, in fact, is a tremendous asset to our work on that committee. His recommendations, I think, are generally taken quite seriously by ministers. But we don't always get enough of an opportunity to ask questions in that committee. There's a significant number of members, and they are all active participants, so we often don't get as many questions as we would like, I guess. So these written questions, I think, have an important function, and they are indeed relevant.

Now, the suggestion of the Auditor General that the Department of Infrastructure make all construction grant payments through the consolidated cash investment fund bank account I think is an interesting one, and I for certain look forward to the answer of the government. The government often does respond very promptly, Mr. Speaker, to the Auditor General's recommendations. Most of them, in fact, are accepted by the department and are implemented within a year or sometimes two, but there are some that drag on year after year, and we often wonder why the government doesn't implement them, because they do seem to be very, very relevant.

Sometimes we're hard-pressed to know why the government is dragging its feet. Quite often in these cases, Mr. Speaker, the government is dragging its feet because of some centralized policy. The departments get individually blamed or named, at least, in the Auditor General's report for not implementing the recommendation, but it often comes back to a policy of the Treasury Board or the Finance department. I don't know if that's the case in this particular instance, but it may well be, and if so, I think the government ought to reconsider that policy. I think one of the big issues is to make sure that all transactions of the government are transparent and paid from the appropriate accounts.

So in this case, Mr. Speaker, once again I would urge all hon. members to support this motion and again give my congratulations to the hon. member who asked the question and to the government for agreeing to answer it. I will look forward to receiving the response to this written question in due course.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Glengarry to close the debate.

Mr. Bonner: Yes. I'd like to thank the minister once again for accepting Written Question 58.

[Written Question 58 carried]

Jubilee Lodge Nursing Home

Q59. Ms Blakeman moved that the following question be accepted.

How many times has Alberta Health and Wellness exercised its right under section 12(1) of the Nursing Homes Act to inspect Alberta nursing homes in the last five years, how many inspections of Jubilee Lodge nursing home in Edmonton occurred as a result of this legislation, and when and why did inspections of Jubilee Lodge nursing home occur and what were the results?

Ms Blakeman: Given the number of concerns that have been raised particularly around two incidents at Jubilee Lodge, I'm hoping that the minister can see his way to providing this information. I hope he does.

Thank you.

The Speaker: The hon. minister.

Mr. Dunford: Yes. In the interest of openness, transparency, and accountability the government accepts.

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

Mr. Mason: Thank you very much, Mr. Speaker. Now, I'm pleased to speak to this motion, and I'm pleased that the minister has indicated that they will in fact respond. You know, we . . .

Mr. Dunford: We didn't say we'd respond; we said we'd accept.

Mr. Mason: Well, the minister is making a distinction between accepting the question and responding to it. I guess I'd have to ask why he would accept the question if he has no intention of responding to it. I thought that we were going to get a response, but perhaps not.

You know, Mr. Speaker, there have been some very serious concerns with respect to the Jubilee Lodge nursing home, and when we've asked questions about this in question period to the Minister of Health and Wellness, we have been assured that the government regularly inspects nursing homes and so on. But what we don't quite know is how often and when this has occurred. In fact, you know, there's a real concern underlying it, Mr. Speaker, and that is that we know that the government has cut back on inspectors. It's cut back on these kinds of front-line staff in lots of areas.

4:00

One of them where it's most concerning is in another department altogether. That is the Ministry of Sustainable Resource Development, where the number of inspectors has been cut back so far and the budgets have been cut back so far that they've actually complained that their budgets are so tight, they have to buy their own gas. So the real question is not that these places are inspected in theory—because in theory they are; the legislation requires that—but whether or not the government puts the resources behind their official legal requirements is a very valid question and one that I think we need a real answer to. So it would be very useful indeed, from our point of view, if in fact the Minister of Alberta Health and Wellness would respond and tell us exactly when this particular nursing home was inspected.

I'd like to go further. I'd like to know what's entailed by the inspection. I mean, how many people participate in the inspecting? What is inspected? What happened with the inspection reports? I think something that could be really valuable as well that is not included in this question is: what happened to the inspection report? Who dealt with it? What decisions were made on the basis of those reports? If, in fact, they showed that there were serious problems at this particular nursing home, then did everyone take that into account and act appropriately, right up to the minister? I'm not sure that this question actually gets at that, Mr. Speaker, so I would hope that the minister would go the extra mile and provide those kinds of details.

You know, Mr. Speaker, we need to protect our seniors. Seniors, especially those in the final years of their life in these homes, are extraordinarily vulnerable people. As we've seen, sometimes the neglect that can occur can have very, very tragic consequences, and it's important that the government take its responsibilities seriously to inspect these homes and make sure that our seniors are well cared for by trained professional people, that there are sufficient staff on duty at all times to make sure that people are not neglected when they need help or care.

So I would hope that this motion is in fact passed. I think people throughout the province have taken an interest in the tragedies that have taken place here, and they want to be assured that the government is taking its responsibilities seriously. If the government takes its responsibilities seriously, then we can be assured that the nursing home itself will be taking its responsibilities seriously, because the government will be making sure that they do. That's what we expect of our government, and that's what we expect from Alberta Health and Wellness, and we can accept nothing less, Mr. Speaker.

So again I would urge all hon. members to vote in favour of accepting this question. Hopefully the government will then respond to it in an appropriate and informative manner. I commend the hon. member for asking this question, and I also commend the minister for indicating that he's prepared to accept the question.

Thank you very much, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: Thank you.

[Written Question 59 carried]

head: **Motions for Returns**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice having been served on Thursday, April 1, it's my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of motions for returns 18, 19, and 23 as modified by the House leaders' agreement, which was signed and which I tabled earlier today.

[Motion carried]

Office of the Premier IT Contracts

M18. Ms Blakeman moved on behalf of Ms Carlson that an order of the Assembly do issue for a return showing the total dollar amount spent by the office of the Premier on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

Ms Blakeman: Now, we have had some other ones for other departments on the same subject turned down by the government. I'm hoping that for this one we will get some information and that we will get it without amendments to it, which render the information more vague and less useful to us. I'm looking for exactly the request that's submitted here. So I'm hoping that the government will comply.

Thank you.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Well, I think the hon. member is correct in stating that similar motions were given considerable debate. As I recall, it was back on March 22 or thereabouts. So in actual fact this particular motion for a return at this point is redundant and unnecessary.

Motion for a Return 10, which was dealt with back on page 610 of *Hansard* on March 22, certainly referred to the same information being requested of the Health and Wellness ministry for contracts

pertaining to information technology services, broken down by company and dollar amount and so on. Then the amendment, which was presented shortly thereafter, in fact removed the specific reference to one government department and/or ministry and made it clear that we were prepared to provide information showing the total dollar amount spent by the government of Alberta on contracts for information technology services, including a listing of vendors who were providing those services for the 2002-2003 fiscal year. So I think that adequately covers it, and as such we do not need this particular motion that is before us at the moment.

That having been said, we would be rejecting it because the amendment I referred to earlier accommodates this particular information that is being sought and is to be provided for the entire government of Alberta, and it will be broken down by company and by dollar amount. Again, I think it's therefore redundant, so on behalf of the Premier's office I'm recommending that we reject this motion for the reasons stated.

The Speaker: The hon. Member for Edmonton-Centre to close the debate.

Ms Blakeman: Yes. I'm sorry; I was momentarily distracted and missed a few words of what the minister was saying. My concern here with the amended version that was discussed a few weeks ago, mentioned in the minister's response there, is that once again the government has changed the information that was being requested and made it less detailed, in other words more vague, and unattached. The suggestion that they had to provide an aggregate amount, a total amount spent on all information technology contracts for all of the government and then a list of vendors that are unconnected is the kind of unhelpful information that leads to misunderstandings, because from that you really can't tell if there was one vendor who was getting a disproportionate amount.

Perhaps they need to be looked at to make sure that all the tendering processes are as they should be. Perhaps a very reputable company is getting hardly any contracts at all. You can't tell when you get two separate lists where the information has been deliberately disconnected, has been torn apart, unlinked by the government.

I don't understand why the government is so reluctant to provide information like this. It's pretty innocuous information, and it does raise the hackles of people looking at government transparency and accountability. It certainly raises questions in their minds. What are they hiding? This is a very simple, innocuous question. Why can't they just deliver the information? Why this great need to disattach everything so that no clear understanding can be gained from it? As a result of that, you do end up with misunderstandings. You do end up with people making leaps of logic that are perhaps inappropriate, but how do you tell that when you can't find a clear trail of information?

So I'm disappointed to hear that the information will not be provided as requested. Thank you.

[Motion for a Return 18 lost]

4:10 Government Out-of-province Travel Expenses

M19. Ms Blakeman moved on behalf of Dr. Massey that an order of the Assembly do issue for a return showing the total number and costs of extraprovincial and international trips taken by government Members of the Legislative Assembly who are not members of Executive Council between March 13, 2001, and February 17, 2004, broken down for each member, outlining the trip destination, the costs for meals,

accommodations, entertainment, travel, telecommunications, dry cleaning, and gifts for each destination.

Dr. Taylor: How about including the Liberals in that?

Ms Blakeman: The Minister of Environment has suggested that the Liberals be included in that. I'm sure that he is more than welcome to take advantage of the written question process that's available in this House and put forward such a question, but the question before us today is asking for government Members of the Legislative Assembly who are not members of Executive Council.

Dr. Taylor: Why aren't you honest?

Ms Blakeman: Well, I am going to be heckled on this one; aren't I, Mr. Speaker? The Minister of Environment is questioning my honesty in bringing forward a request on behalf of my colleague for Edmonton-Mill Woods to get this information.

Earlier today I did table the information, that is now available to all members of the Assembly, on the rules that are now being used by the federal government and a good example there. Or, as I said, if the government members are not comfortable with that, then they're certainly welcome to look at those that were put in place by the previous government in Ontario, which would be their Tory cousins.

So that's the information that I'm requesting at this time, and I look forward to the response from the government. Thank you.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwodzesky: Thank you, Mr. Speaker. I want to indicate on behalf of the hon. Minister of International and Intergovernmental Relations that we would be prepared to accept this particular motion, albeit with some amendments, and I believe those amendments have been circulated and shared with all members of the House. If I might, I'd like to move this motion as amended and make a few comments as to why these amendments are required, and that may help address some of the concerns that certain members of the House might have.

First of all, by looking at the original motion called for, I want to indicate what I had heard referred to in question period today, and that is to suggest that there is currently some work being done on streamlining this whole process of reporting and doing it on a consistent basis and so on, beyond what is already being done, I need to say, because it is done consistently. So that will take care of part of this request.

Secondly, we're trying to make this fit within the government calendar year, which I hope no one would object to. In fact, we're expanding the time frame of that part of the motion so that it would read: from April 1, 2001, to March 31, 2004.

The third issue pertains to the breakdowns that are being requested. Mr. Speaker, in the original motion – there's nothing wrong with it, of course – there are all kinds of detail being sought. However, we need to keep in mind that if you accept a motion for a return with certain categories and certain undertakings, my understanding of that would be that you would be in breach of that particular acceptance if you did not specifically address every single one of those. In some cases some of those expenses may not be occurring, may not have been incurred, in fact.

So what I am proposing here is that we instead categorize them according to the categories that we ourselves use. For example, by grouping all of these expenses under accommodation, travel, hosting, and miscellaneous expenses, we will effectively be providing all of

the information that's being asked for. So the amended motion for a return then will cater to that particular point. That having been said, Mr. Speaker, I think that the amendment has been shared with our main opposition colleague prior to 11 a.m. today as per requirements and procedures.

Mr. Zwozdesky moved that Motion for a Return 19 be amended to read that an order of the Assembly do issue for a return showing the total number and costs of international trips taken by government members of the Legislative Assembly who are not members of Executive Council between April 1, 2001, and March 31, 2004, broken down for each member outlining the trip destination and categorized by accommodation, travel, hosting, and miscellaneous expenses.

On that basis I would move that Motion for a Return 19 be accepted as amended.

The Speaker: On the amendment?

Ms Blakeman: Yes. Thank you, Mr. Speaker. I'd like to speak to this amendment.

There are a couple of issues that I want to raise here. There has been no explanation as to why the government is unable to provide the information on extraprovincial trips. They've just merely cut it off and deleted it, exempted it from the amended motion for a return. That basically takes away any trips that are taken out of province but inside of Canada, so any trips taken to any other provinces or territories. There is no explanation given by the government as to why they refuse to provide this information.

Secondly, we did ask for a level of detail. We did ask for cost of meals, accommodations, entertainment, travel, telecommunications, dry cleaning, and gifts for each destination, and for a reason. I don't understand where those expenses were incurred. Let's take dry cleaning as an example. Where a dry cleaning expense was incurred and reimbursed, then the government, in fact, has a record of it and can provide it. Where there was no dry cleaning submitted for reimbursement or as an expense on travel, then there's nothing to provide. But certainly in the cases where it, in fact, was paid for by taxpayer dollars, there is a record of it. I fail to understand – and the government has failed to convince me – why they cannot provide this level of detail.

So once again we see an attempt by the government to group things into a way of explaining expenses that makes it very difficult for people to have to tease out what actually happened, what actually went on. It does raise questions in people's minds including: if you had dry cleaning, why can't you just tell us? If you didn't, well, then it won't show up as an expense. The grouping together masks and hides what the expenses actually were.

So I understand. I've done expense claims. I used to have to do expense claims on behalf of the people that I worked for when I worked for government. I know what those categories are, but I also know that underneath those categories expenses like we're describing can in fact be stated, so I'm failing to understand why the government cannot provide this information. I mean, I'm assuming that perhaps what I'm being told is that ministers and backbenchers are not reimbursed for these particular expenditures, but I'm pretty sure that they are. If they are reimbursed, then they exist on a form somewhere, and they should be able to provide them to us.

4:20

When I'm looking at the federal examples of what's possible here, there are very detailed and extensive and vigorous policy statements on what is acceptable, what is not acceptable as an expenditure. I

was saying: well, maybe dry cleaning is not allowed, and that's why it can't be provided here.

In Ontario they very specifically exclude alcohol, for example, and their policies lay that out. If you are going to have to try and reimburse for expenditures on alcohol, you have to provide very detailed reasons about why the government incurred expenses for alcohol as part of their hosting. It may well be reimbursed and accepted, but the details have to be there: you were entertaining someone from a particular culture that accepts this or expects it, et cetera, et cetera.

I would also like to note that, in fact, this motion for a return was accepted by Parliamentary Counsel. The reason for that in the number of debates and tries at this that we've now had over the last couple of weeks is because there was no attempt to group additional motions for returns underneath it. Therefore, it serves as a stand-alone. So as I try and seek this information from government, having been steered toward this particular parliamentary process to seek that information, in fact, by the Premier and other members of cabinet, I have not received a satisfactory explanation about why the information cannot be provided.

I'm now in the position as the person putting forward the request on behalf of another to say: well, do we accept some information which may not be as useful to us or reject it and get no information at all? At this point I'm willing to try the experiment and support the amended motion for a return and see what kind of information I do get. If it just becomes, you know, a one-line aggregate total of all of this and is deliberately delinked from all accompanying information, then I know that this is a game that's being played here, and I'll be seeking information in another way in the future. But at this point I'm willing to try the experiment. I'm willing to take the government on their good word and hope that they follow through in good faith.

Thank you.

[Motion for a Return 19 as amended carried]

Out-of-province Travel Costs for Energy Minister

M23. Ms Blakeman moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total number and costs of extraprovincial and international trips taken by the Minister of Energy between March 13, 2001, and February 17, 2004, broken down by the trip destination, meals, accommodations, entertainment, airfare/ground travel, telecommunications, dry cleaning, and gifts for each trip.

Ms Blakeman: Again, we are seeking a specific level of detail from the government, but I can see by the amendments that have been circulated that there already is an anticipation that they would be amending this.

Nonetheless, I will argue that the motion for a return as stated is reasonable. Particularly given that the Minister of Energy is our frequent flier on the government side, we would like to see the details of his trips. That's not to say that there will be anything untoward there. I fully expect that it will all be quite as it should. But the insistence of the government to lead us on a merry dance and withhold this information does raise questions in the minds of the opposition and the minds of the public that there is something to be hidden. I think that at this point it's important that the detail is provided so that that can be aired.

Thank you very much.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker, and thank you to the hon. member opposite for her comments. She is correct in understanding that some of what is being amended and the way it's being amended here in Motion for a Return 23 stems out of the way Motion for a Return 19 was in fact amended. It's a similar set of circumstances virtually, and in this particular case I'm prepared to move that Motion for a Return 23 be accepted as amended and as presented and provided for in the House leaders' agreement, which was signed today and which I tabled today and which, I believe, all members have received a copy of. So that would constitute the notice required, and it had been shared, in fact, much earlier in the day in accordance with the time restrictions that are needed.

The essential comments that I made for Motion for a Return 19 actually do apply here for Motion for a Return 23 as well. I do note and understand some of the reluctance that has been expressed by members in the opposition, but I just want to assure them that due diligence will be followed through as much as is possibly possible to help ensure that they get as much information as it is possible to provide. That is the spirit under which all of this was done and under which the House leaders' agreement was jointly arrived at, and we'll deal with it in that vein.

Mr. Zwozdesky moved that Motion for a Return 23 be amended to read that an order of the Assembly do issue for a return showing the total number and costs of international trips taken by members of Executive Council between April 1, 2001, and March 31, 2004, broken down by the trip destination and categorized by accommodation, travel, hosting, and miscellaneous expenses.

So thank you for your anticipated support of accepting Motion for a Return 23 as amended.

The Speaker: The hon. Member for Edmonton-Centre on the amendment.

Ms Blakeman: Thank you. I am speaking to the amendment. This did come about through a House leaders' agreement. It is an experiment to see whether, in fact, we are provided with the level of detail that we require. I also want to underline again that this is not a precedent in any way, shape, or form for grouping. This is an issue of trust. It is trying to see if we can get the information that we're seeking. Frankly, we don't get the information that we're seeking here, so right from the word go I'm having to bargain away the information that the Official Opposition was interested in receiving.

I have severe qualms about this process because, to my eye, the government continues to do what they wanted to do, and the opposition is not getting the information that we were looking for. From the top, all of the inside of Canada but outside of Alberta trips again have been cut off, with no explanation given, no reasoning for it, nothing. Just: we're not getting the information.

Again I say: why aren't we getting the information? We should be able to find out why those trips happened, what the purpose was, who went on it, how much did it cost, were those costs reasonable, all of that information. You're spending taxpayers' dollars. We should be able to get this information and have it shared with the public.

The attempt to group this motion is changing it from a specific question to the Minister of Energy to one of international trips taken by members of Executive Council. The reason that the opposition puts in a question that appears to be repeated for 23 more ministries is a lesson learned from bitter experience, frankly, where we have in the past requested information generally and what we got was one line or one figure, which was an aggregate figure. We couldn't tell how much of it divided for each ministry. We couldn't tell who was

included in it or how many staff or any number of things, so we were being played with.

I don't think there was any reasonable attempt to provide us with the information. This was: how can we not provide the information? So we learned by bitter experience to separate it out and to ask the question for each and every ministry because some of them, frankly, provide us with the information and some don't provide us with the information. So it's worth our while to ask for it by each and every ministry. As we grow from 17 ministries, which is what there was when I was first elected, to 24 ministries, which is what we've got now, you get that many more questions on the Order Paper.

4:30

We lose the specificity when we go from ministry by ministry to an aggregate, which is what's being anticipated here by going to something taken by members of Executive Council. In this particular question – and this is why I allowed it – it is broken down by trip destination and then categorized further, so there is a way of us being able to determine who went on this trip and where did it go. So there is a level of detail to allow us to figure out what's going on here.

It's not helpful when things become aggregate to a point where we don't know which ministry provided what information, how many people were involved, where they went, et cetera, et cetera. It's become a bit of a game with the government not providing the information we've requested, and we have been forced into a position of having to separate everything out and ask for the detail one by one. That is happening again here. So we're going on trust that we're going to get the information that has a level of detail that's reasonable in it.

You know, we've been given quite the jolly runaround with this. Back on February 19 the Premier in response to opposition questions on expenses asked us to provide documentation on the expenses so that the questions could be answered. February 23 we were told to ask for the information through a written question. On March 1 we sent a letter to the Premier detailing all of the questions that we would like answered. As far as I know, we've never received a response to that, and we're now at almost a month later. March 22 and other times we had our first of many motions for returns voted down. So we're told to go to motions for returns and written questions, and then we're turned down for the information. In some cases we're told that this is an inappropriate way to ask for that level of accountability.

Well, what are we supposed to do, Mr. Speaker? This is the process that's open to us, and then we're told we're not supposed to use it. Then we do it, and we have it altered in such a way as we're not getting the information that we wanted to see. We've given up the clarity and the level of detail that we wanted to see. We'll see whether we are getting less than what we asked for. We'll see whether this experiment, in fact, was one that was worth taking.

I agreed, and in fact I proposed the House leaders' agreement that was signed here. It's in the form that I proposed it. I did want to see certain private member's bills get an opportunity for debate, so I'm the one that came up with this idea so that we could go forward with that today because I am interested in seeing it happen. But what do I get for that, Mr. Speaker? What I get is that I don't get the information that I was asking for. I'm not the one that's come out even-even on this one; I've come out behind on it. We've yet to see whether this will be worth it. [interjection] The Minister of Environment wants to get in on the discussion again.

You know, we're more than willing on this side for the few trips we take out of province to have people scrutinize the individual personal expense reimbursement claim forms. If people want to see

them, I'm certainly willing to show you the one when I went to Texas last summer. I, in fact, had a clerk who submitted more money than I was asking for, and I had to go back and say: "Excuse me, but you do exactly what I said. I only want to be reimbursed for the money that I spent. I don't want to claim per diems that give me more money than I asked for." I insisted that it be redone. So I'm more than willing to give you that level of detail. That was the concern that the Minister of Environment was heckling me on previously. [interjection] Oh, someone else wants to heckle now too. Okay.

We'll see whether this works. I'm approaching this with trepidation, but we'll see whether this works.

Dr. Taylor: Approach it with good hope.

Ms Blakeman: I am approaching it with hope. I wouldn't have done this if I wasn't hopeful that there would be some kind of realistic information provided. But, boy, there's a hand of trust being extended here, and it better come back with some good detailed information in it, or all bets are off on this one.

Thank you very much, Mr. Speaker.

[Motion for a Return 23 as amended carried]

The Speaker: What essentially will run then as a consequence of the agreement that the House provided unanimous consent to today – the House leaders' agreement has absolutely no merit unless all members of the Assembly agree to it, and that was very important. So motions for returns 65, 67, 68, 84, 85, 86, 87, 129, 130, 131, 132, 133, 169, 170, 171, 172, 173, 181, and 182 will now be removed from the Order Paper.

It's also clear that today was a very abnormal day which required unanimous consent of the House to deal with what happened here. This date will not be referred to further in the annals of the Alberta Legislative Assembly, and what happened here today will not bind this Speaker or any subsequent Speakers in the future in terms of administrative matters related to any of these things. With all the denials and the reluctance contained in this document, it's like saying, "Well, I'll agree to get married for a one-day time frame, and we'll see how it works out, but tomorrow's another day, and I'm not going to be held by what I did yesterday" kind of thing. This applies only for today. There should be boxes put around the *Hansard* of the Legislative Assembly of Alberta. This happened. It's ended and is not to be repeated again tomorrow.

Now, Clerk, let's move on.

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

Bill 203
Canada Pension Plan Credits Statutes
Amendment Act, 2004

[Debate adjourned March 29: Mr. MacDonald speaking]

The Speaker: The hon. Member for Calgary-West. I take it this will be to conclude the debate.

Ms Kryczka: Yes.

The Speaker: Okay. Clerk, how much time is left?

The Clerk: Nine minutes.

The Speaker: Nine? Five to conclude the debate. Okay.

Anybody else want to speak? Then the hon. member to conclude the debate.

Ms Kryczka: Thank you, Mr. Speaker. I believe the rationale for the merits of and concerns around Bill 203 have been addressed very well in second reading by speeches from many of my colleagues. I would like to thank these colleagues for their comments and support during second reading: the members for Spruce Grove-St. Albert, Edmonton-Manning, Edmonton-Meadowlark, Vermilion-Lloydminster, Redwater, Calgary-Buffalo, Clover Bar-Fort Saskatchewan, St. Albert, Calgary-Currie, Calgary-Fort, and Edmonton-Rutherford. It is also very important to thank my researcher for Bill 203, Andrea Hennig, for her exemplary commitment to its preparation and all other researchers who have prepared speeches for my colleagues.

As we have heard, the purpose of this legislation is to give Albertans by law an informed, mutually agreed choice whether to split their Canada pension plan benefits following a divorce or separation. Mr. Speaker, I'd like to reiterate a few of the crucial arguments and major objectives of Bill 203, the Canada Pension Plan Credits Statutes Amendment Act, 2004. First, Bill 203 would allow divorcing or separating Albertans, upon being informed, to decide how to best divide their CPP pension benefits pertinent to their individual circumstances and personal situations. It will not force Albertans to opt out of the credit-splitting program but, rather, let couples consciously decide for themselves; that is, whether to opt out or not.

Second, Bill 203 will provide for consistent treatment of assets in the province as property division is based on mutual agreement. Most aspects of family property between spouses upon relationship breakdown are subject to agreement.

Third, Bill 203 would bring clarity and certainty to the decisions made concerning the splitting of CPP credits. If spousal agreements have been entered into and waivers signed, then Bill 203 would provide the appropriate provincial legislation to uphold these agreements.

4:40

Fourth, this legislation would prevent an ex-spouse or ex-partner from applying for the split of CPP credits without the other party's knowledge. Bill 203 prevents the effect of creating a future entitlement of pension benefits.

Fifth, Bill 203 will help to raise awareness of the Canada pension plan credit-splitting program. For example, it is little known that all credit-split decisions are permanent unless this decision is challenged through the courts. What is most realistic is that a federal decision is never returned to the ex-spouse even following the death of the applying ex-spouse. This legislation will bring a valuable understanding to all Albertans, especially low-income Albertans, about the possible division of their CPP pension benefit, and with that understanding Albertans will be able to plan appropriately for their future.

Mr. Speaker, with reference to financial planning, especially considering the future impact of an aging population, it is very important to underline that government and the private sector encourage and support Albertans wherever appropriate to be accurately informed and to plan for their retirement. As personal financial plans include a combination of pensions including CPP, RRSPs, savings, bonds, and other investments in residential and other properties, it follows, using common sense, that these same assets would be considered in preparing a divorce or separation agreement.

Mr. Speaker, I believe very strongly in the purpose of Bill 203 and in the advantages and benefits that will stem from giving adult Albertans the right and responsibility of informed choice in making decisions concerning their finances upon the breakdown of common-law and marital couples.

My thanks once again to everyone for their participation in the debate and discussion of Bill 203, the Canada Pension Plan Credits Statutes Amendment Act, 2004.

Mr. Speaker, I now move that the question be put.

[Motion carried; Bill 203 read a second time]

Bill 204 Blood Samples Act

The Speaker: The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you very much, Mr. Speaker. Indeed, it is my pleasure to bring into debate in second reading Bill 204, the Blood Samples Act. The goal of Bill 204 is to protect good Samaritans, police officers, firefighters, correctional officers, and front-line emergency and health workers who in the course of their work exchange bodily fluids with someone who may have a communicable disease. The bill would create a process to allow a qualified medical practitioner to take a mandatory blood sample from someone who refuses to comply voluntarily.

[Mr. Shariff in the chair]

Mr. Speaker, currently the rights of people who refuse to supply a blood sample in the event of an exchange of bodily fluids prevail over those of the infected worker. I have heard a story of a police officer who had a suspected drug user spit in his face. The suspect then yelled at the officer: welcome to the world of AIDS. This man could be charged with assaulting a police officer, but by law he cannot be forced to provide a blood sample to see if he really was HIV positive. His right to privacy prevails over the health and security of the police officer.

Imagine the emotions that went through the infected officer. How could he kiss his wife? The thought of possibly transmitting the disease would constantly haunt him. How could he play with his children without worrying about exposing them to the disease?

After exposure workers begin a grueling drug cocktail. The infected worker suffers numerous side effects caused by the drugs. The victims must also wait for signs of a disease to develop. Passing Bill 204 could alleviate these stressful circumstances. The results may allow the infected worker to end the medication earlier. The results may also offer peace of mind that they pose no threat to patients, victims, co-workers, friends, or, most importantly, family.

People working in firefighting, law enforcement, health, corrections, paramedics and ambulance service employees are subjected to dangerous and potentially fatal occupational hazards. Some of these hazards are avoidable through safety and training and improved safety equipment. There are also safety protocols for preventing the transfer of blood from victims or suspects to front-line emergency or health care workers. These protocols focus on prevention and compliance. The safety training and protocols do not properly address what happens after the exposure occurs.

Other Canadian governments have considered legislation similar to Bill 204. On May 1, 2003, Mr. Speaker, the Ontario government proclaimed the Health Protection and Promotion Amendment Act. This amendment gave authority to front-line emergency and health care workers to seek a blood sample. It also provided victims of

crime the same right to seek a blood sample. The scope of Bill 204 is restricted to people who come into regular contact with someone else's bodily fluids.

Legislation similar to the Blood Samples Act has also been introduced in the House of Commons as a private member's bill on two occasions. Both bills would have amended the Criminal Code to force someone to provide a blood sample. In February 2002 the Standing Committee on Justice and Human Rights was advised that this legislation governing civil rights and health falls within the power of the provincial government. Using this technicality, the Liberal government has absolved itself of having to deal with this particular legislation, which explains many of the antics which are taking place in this Chamber.

There are implications of Bill 204 that do affect the federal government.

Ms Blakeman: Point of order.

Mr. Lukaszuk: Some have argued that forcing a blood sample . . .

The Acting Speaker: Hon. member, there's a point of order here. The hon. Member for Edmonton-Centre.

Point of Order Allegations against Members

Ms Blakeman: Thank you very much. I'm afraid the member has not clearly been listening to what's been happening in this Chamber today in making – sorry; the citation I'm referring to is 23(h) – an allegation against another member or – I'm presuming that can also be used in the plural – against other members.

The member has no idea why certain issues were raised in this Chamber today. I thought I'd already been pretty clear that the very ability of this member to get up and debate this bill was because of the House leaders' agreement that I proposed. So I think he needs to withdraw that particular allegation that's been made against the Liberal opposition.

Mr. Lukaszuk: Mr. Speaker, no allegation was waged against any member, and if it offended anyone, I withdraw this comment.

The Acting Speaker: Standing Order 23(h) states that "a member will be called to order by the Speaker if, in the Speaker's opinion, that member . . . makes allegations against another member." To the best of my knowledge I did not hear an allegation being made against an individual. I think it referred to a group. However, the hon. Member for Edmonton-Castle Downs has withdrawn those remarks, and I believe that that's acceptable, and we can proceed.

The hon. Member for Edmonton-Castle Downs.

Debate Continued

Mr. Lukaszuk: Thank you, Mr. Speaker, for that ruling. I shall continue.

Mr. Speaker, the Supreme Court of Canada has said that the taking of a blood sample is a very intrusive procedure that can occur only when justified circumstances occur and where there is pressing necessity. I would argue that the results of the blood sample are a pressing necessity for the person most affected. Rights defined in the Charter of Rights and Freedoms are not absolute, and the law infringing on them may be upheld if it is found to be within a reasonable limit. I would argue that Bill 204 is within the realms of the Charter of Rights and Freedoms as outlined. I think it's our duty as legislators to spell out some of the responsibilities and obligations

that come along with the rights in the Charter of Rights and Freedoms.

Blood-borne diseases are a dangerous reality for front-line workers defined in Bill 204. Someone who knowingly transmits these diseases should be forced to provide a blood sample.

I think it's also important to stress existing legislation that protects the privacy of the individual. The results of the blood sample cannot be used for any reason other than those defined in Bill 204. The process for taking a blood sample for those purposes of Bill 204 already exists through Alberta legislation. The Health Information Act, the Public Health Act, and the Freedom of Information and Protection of Privacy Act set out the rules for collecting and disclosing health information. These acts also set out the penalties for breaking these laws.

4:50

It is true that most of the support for the bill comes from personal experience of officers and health professionals. However, this bill will help infected workers understand the severity of the exposure. I am confident that most reasonable, caring Albertans will support this bill. I am also confident that Bill 204 will help protect the people who help others.

This Assembly has an opportunity to provide peace of mind for workers exposed to bodily fluids. It's time to give our police, firefighters, prison guards, and health care workers more tools and more security. This bill brings a common-sense approach for balancing the safety of workers with the safety of private health information. I would encourage all members to vote in favour of Bill 204.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Solicitor General.

Mrs. Forsyth: Mr. Speaker, thank you. I rise today to speak in support of Bill 204 for my colleague the hon. Member for Edmonton-Castle Downs. As Solicitor General I have supported this issue from the beginning. I have written the Federation of Police Associations supporting this issue. I have also been approached by various front-line emergency workers concerned about mandatory blood testing.

Bill 204 is designated to protect police officers, firefighters, correctional officers, front-line emergency workers, good Samaritans, and health care professionals. Without exception these workers are worried about the transmission of blood and other body fluids carrying diseases like HIV, AIDS, hepatitis C, and spinal meningitis. I support this bill because I believe it will protect and it will give peace of mind to emergency personnel. This bill would allow specified individuals to ask a medical officer of health for an order to take a blood sample from a third party.

In my contact with police and correctional officers I have learned about the many precautions they already take. Some wear special gloves; some wear soft body armour to protect themselves from gunshots, knifings, blood trauma, motor vehicle collisions, and aggressive behaviour. Just like anyone, correction officers, health, police, and other emergency personnel want to go to work each day with the knowledge that they are protected in the best possible way from all forms of danger. At the moment, Mr. Speaker, these workers are not protected against someone who accidentally or deliberately infects them with body fluids.

There are many ways these workers could be infected, such as when dealing with patients who turn violent and must be chemically or physically restrained, after being spit on, attending an accident scene where there are severe injuries, or being stuck with a con-

cealed needle or syringe. In the United States some estimate that there are 600,000 accidental needle sticks every year.

Over the years I have spent countless evenings doing police ride-alongs. I have seen first-hand what police and other front-line emergency workers have to endure. Mr. Speaker, consider this situation: you're an emergency health care worker; you are accidentally pricked by a needle; the patient is a drug addict, but you don't know if they are infected. You have two choices: one, do nothing and hope for the best or, two, assume the patient is infected and begin extremely painful medical treatments that carry with them severe side effects and prohibit physical contact with anyone else for six months. All this would be unnecessary if the patient were required by law to submit a sample of their blood to determine whether they are infected.

We owe it to the fine men and women of this province who serve the public while providing emergency health services. Their job is already hard enough. This bill can reduce some of the risks they face and provide some additional peace of mind.

Mr. Speaker, this bill goes beyond protecting emergency workers. It also protects the good Samaritan and the victim of crime. Do we want to continue to have a situation where a person may be in desperate need of help and others simply stand, wait, and watch because they are afraid to help because of AIDS or hep C or some other disease?

Some will say that this bill will infringe on a person's right to privacy. Well, Mr. Speaker, I say that the protection of privacy and the release of public information has always been a balance between protection and disclosure. How can we protect the privacy of a known drug addict while increasing the risk for first responders? Often blood samples are given voluntarily, and people should be commended for that.

Mr. Speaker, the debate today is: what should the government do when someone refuses to give a blood sample to hurt someone else? This bill would only be applied on rare occasions when someone refuses to give a blood sample for testing. More importantly, this information would only be shared with the medical staff and the affected individual. The blood test analysis would only be used for medical purposes, with the highest level of confidentiality. I believe this provides an adequate balance between the privacy of a person's health information and the safety of good Samaritans, victims of crime, and emergency personnel.

Mr. Speaker, I commend the Member for Edmonton-Castle Downs and want to thank him on behalf of front-line emergency workers, health professionals, and good Samaritans.

The Acting Speaker: Hon. Member for Edmonton-Highlands, did you want to speak?

Mr. Mason: Sure. Thank you very much, Mr. Speaker. I'm pleased to rise and speak to this bill. You know, I believe that this bill has some merit, and I certainly appreciate the work that the hon. Member for Edmonton-Castle Downs has done on this bill. However, I do have a number of concerns.

It's certainly the case that many front-line emergency workers are at risk from accidental or even in rare cases, I believe, deliberate infection from HIV, hepatitis C, and other viral blood infections. It is a concern, and it has I think been taken very, very seriously in all sorts of areas. It has radically changed how many services are in fact delivered.

It's clear that a number of organizations representing people in front-line jobs have expressed their support for this. For example, Michael Rennich, who is the chair of Alberta Union of Provincial Employees local 003, has sent the hon. Member for Edmonton-

Castle Downs a letter in support of this particular piece of legislation. Similarly, I understand that the firefighters' union and police association have indicated their support for it. Mr. Speaker, I entirely understand why this would be the case. These workers are faced day to day with the risk of being infected either accidentally or, potentially, even deliberately by people that they deal with, and if all of the precautions that have been taken – and they are considerable – fail, they want to know as soon as possible whether or not the person with whom they've had contact is indeed infected by one of these agents. That's something that is entirely understandable.

It's interesting, Mr. Speaker, that not all associations or unions that represent people who are on the front line and potentially at risk support this position. We have done some research and have obtained some documents with respect to this issue. In November of 2000 the Canadian Nurses Association published a revised position statement on blood-borne pathogens. It did address the issue of compulsory testing, and here's what they said.

Mandatory testing for blood-borne pathogens either before or after significant exposure is not warranted because current technology cannot always identify persons infected with blood-borne pathogens. In caring for all clients, whether their status regarding blood-borne pathogens is known, the nurse is guided by the values of the Code of Ethics for Registered Nurses.

The nurse has an ethical responsibility to provide care that includes bringing good to the client, minimizing harm, and respecting the right of the client to accept or to refuse treatment.

So that's the position of the Canadian Nurses Association.

5:00

The Canadian Association of Nurses in AIDS Care also established a position relative to this. They stress the urgent need to collect and analyze data on needle sticks and other occupational injuries in Canada to identify the extent of occupational exposures and respond to them in a timely fashion. They have a number of those; for example, "examine current practices for invasive procedures, and design and implement protocols and programs to eliminate registered nurses' unnecessary exposure to bloodborne pathogens." They called on health care facilities to "implement work-practice measures, such as new safety devices, to minimize or eliminate the risk of occupational exposure to bloodborne pathogens." They also called for "comprehensive educational and training programs that address prevention measures and post-exposure management should be included in nursing curricula, employee training programs, and continuing education programs." However, they do say that they maintain that testing a patient without informed consent is unethical. These are the people that deal directly with patients with AIDS/HIV.

The Canadian Medical Association also has a position on this, and the information we have indicates that their policy on HIV infection in the workplace addresses HIV infection and AIDS in the general workplace and the health care workplace and discusses testing for the HIV antibody. It notes that

any policy in this area should be based on scientific, epidemiologic and ethical principles. The primary purpose is the promotion of effective action to control infection among health care workers and the public and the safeguarding of human rights.

They say that in the health care workplace

the nature of the health care workplace carries with it a greater risk of occupational exposure to HIV than the general workplace. A health care worker may be directly exposed to the blood or body fluid of an HIV-positive patient during routine work or through a work-related accident such as a needle-stick injury. Nevertheless, the occupational risk of HIV infection for health care workers, although not absent, is very low. The risk of transmission from an infected health care worker to a patient is also very low.

They go on to say that the risk of infection does not warrant refusal of services. That's fine. That's certainly not the point of the bill. The CMA policy observes that the prevention of exposure to HIV-infected blood or bodily fluids can best be achieved by the routine application of infection-control guidelines for all patients.

I just want to be absolutely sure, Mr. Speaker. When I reviewed this document earlier, I believe that it indicated that the Canadian Medical Association did not support – yes, they had a motion at their convention in 1999 dealing with mandatory testing, and these motions were rescinded by the general council of the CMA in the year 2000. So they are apparently not supportive of mandatory testing.

The Canadian Union of Public Employees, or CUPE, represents all kinds of people involved in the health care field and in particular does represent ambulance employees in many cities, including here in Edmonton. I'm not sure about Calgary, but they represent members in a number of health care or health-related occupations which are at risk of occupational exposure, including ambulance attendants, housekeeping staff, waste handlers, laundry workers, materials handlers, nurses aides, and laboratory technicians and technologists. [Mr. Mason's speaking time expired] Am I finished? I guess I am.

The Acting Speaker: The hon. Member for Calgary-North Hill.

Mr. Magnus: Thank you, Mr. Speaker. It's an honour to join debate in the second reading on the Blood Samples Act, sponsored by the Member for Edmonton-Castle Downs. Bill 204 creates a mechanism that would allow firefighters, police officers, nurses, doctors, paramedics, and correctional officers to know whether or not they contracted a blood-borne virus. I think that this bill creates an opportunity for this Assembly to protect these workers from an emerging danger in their workplace. Similar legislation was proclaimed in Ontario last year, and the concept was also considered on two different occasions as a private member's bill within the federal government.

Opponents of the federal and provincial legislation had several concerns about taking mandatory blood samples from people who refused to give their consent. Their opposition was based on the perceived violation of the right to privacy and security listed in the Charter of Rights and Freedoms. As previous speakers have pointed out, some people believe the Charter rights are absolute and can't be violated by others, including the government. However, lawyers, judges, and the Supreme Court of Canada understand that the parameters of the Charter of Rights and Freedoms are open to interpretation.

Charter rights are important, but they must be balanced with corresponding responsibilities. Some groups believe that a person has the right to refuse to submit a blood sample after contaminating a health or emergency worker. However, these people fail to understand the mental and physical effects that their refusal has on the affected worker.

We live in a society that places a high priority on mental health, Mr. Speaker, and there is no doubt in my mind that refusing to provide a blood sample under the conditions outlined in Bill 204 causes significant mental stress to the workers defined in Bill 204. My worry is that there's also the possibility of these workers suffering from long-term mental illness due to stress related to drug treatment and uncertainty, and exposure can cause significant anxiety because of the existing dangers related to blood-borne viruses.

Some argue that legislation forcing a blood sample is an extreme measure for a relatively small number of exposures, but I disagree. There is a great deal of fear felt by the exposed victim as well as their

families and their coworkers. These concerns are not only related to the infection but how it may affect the personal lives of the people involved. We know that without a blood sample the infected worker must wait six months after exposure before knowing whether or not they have a blood-borne disease. Needless to say, Mr. Speaker, the anxiety I talked about will not be momentary. It will last for that entire period of time.

Other speakers have pointed out that a blood sample will not cure the infected worker, but it will give him or her peace of mind. Knowing whether or not the test subject has a disease will reduce initial health concerns felt by the worker. The results from the blood sample will also reduce the fear and the distress of infection felt by the victim in the future.

There is also an important scientific reason to take blood samples. A blood sample allows the medical professionals to understand what disease, if any, they're dealing with. The prompt identification of infected source patients will allow the most appropriate and effective use of postexposure drugs.

Mr. Speaker, as you know, I'm very concerned about the safety of emergency workers. Paramedics, police officers, and firefighters put their lives on the line to protect others. I think it's our responsibility to respond whenever these workers are mistreated or a legal loophole leaves them suffering.

Mr. Speaker, to you or I the likelihood of contracting a blood-borne disease throughout the course of our duties is extremely low. I realize that this sounds obvious; however, there have been a number of people who have opposed legislation similar to Bill 204 because they don't believe that the number of officially recorded instances of exposure warrants such strong legislation. Most people would agree that there's a good chance that health care professionals will come into contact with people infected with a blood-borne disease. The chances are even greater for health care professionals working in emergency rooms.

5:10

Some opponents to this legislation claim that the vast majority of people infected with a blood-borne disease agree to a voluntary blood sample after exchanging fluid with a worker in a hospital setting. It's believed that patients agree to voluntary blood samples because doctors and nurses are trying to help them. The relationship between a health care professional and their patient is unique. However, I'm not convinced that doing nothing will help the few people who refuse to provide a blood sample. I believe Bill 204 is an important mechanism that must be in place for the few unfortunate times that this tool is really needed.

A potential carrier of a blood-borne disease may agree to a voluntary blood test if the infected person is a nurse or a doctor. However, outside the walls of hospitals and clinics, in the line of duty of police officers and correctional officers the rules are very different. We've heard other speakers talk about the important role front-line emergency workers play in society. However, these men and women are also subject to a different set of rules. The reality is that some people use their disease or the threat of having the disease as a weapon.

In fact, this was part of the logic for introducing similar legislation at the federal level. It was believed that using the threat of infection has become a new way to assault peace officers. This caused long-term mental health damage to the exposed officer. Inflicting harm on any other person in this manner was believed to have been dealt with through an amendment to the Criminal Code.

I think one of the reasons why refusing to supply a blood sample was considered appropriate for the Criminal Code was because of the hostile exchange between a suspect or an inmate and a peace officer.

There is a far more adversarial relationship between peace officers and suspects, and there have been instances where inmates in correctional facilities or criminal suspects wilfully bite or spit at workers as a way of taunting or intimidating the workers. Obviously, inmates and criminals are less likely to volunteer a blood sample after spitting at or biting a correctional officer.

I also understand that there may be a few interest groups who will oppose Bill 204, just like they opposed similar legislation in Ontario and at the federal level. I think it's a shame that some people would place a higher value on the perceived rights of an individual over the significant mental and physical damage caused by a person's refusal to provide a blood sample.

Mr. Speaker, imagine what would happen to an exposed worker's state of mind after the drug treatment finished and they were able to return to work. For six long months this worker would wonder whether or not they were carrying a life-threatening disease. Imagine the anxiety they would feel when called to an accident scene to help a victim bleeding from cuts from broken glass. I wonder if the worker would hesitate before assisting the victim, knowing that there is no legal way to know if that person has a disease. Right now these workers wear latex gloves and hope that they don't come into direct contact with another person's bodily fluid. If these workers are exposed, their well-being is at the mercy of the test subject.

Mr. Speaker, I believe that the workers defined in Bill 204 have the right to know whether or not they have to undergo noxious medical treatment after being infected with a communicable disease. Currently front-line workers have fewer rights than the injured people that they help. This bill will correct the uncertainty felt by many workers, and I would encourage all members in this Assembly to vote in favour of Bill 204.

Thank you, Mr. Speaker.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I forfeited my usual spot immediately following the sponsor of the bill because I wanted to hear some of the debate that was being brought forward. You know, I've had too many colleagues, friends, and acquaintances die from AIDS, so this is a bill that I'm very interested in and very interested in hearing the debate and the ideas that are being brought forward.

As has already been mentioned, this is not the first time that there has been an attempt at implementing mandatory blood sampling for people who might infect emergency workers. Ontario, in fact, as has been stated, did pass legislation in 2002. There was also a federal private member's bill that died on the Order Paper.

A couple of observations. The Ontario legislation requires mandatory blood samples from individuals who expose victims of crime, emergency workers, and good Samaritans to bodily fluids. Now, the former and the latter there are not included in this legislation. I'm wondering when the sponsor gets an opportunity if he can tell me why that choice was made not to include good Samaritans or victims of crime in the coverage.

One of the rationales is that it would reduce the number of preventative drug treatments that emergency personnel would have to take, and the previous speaker talked about that quite a bit, the drug cocktail over the six months and the emotional wear and tear that that causes.

I also note that Ontario's chief medical officer of health at the time, Dr. Colin D'Cunha, stated that the legal and ethical rules of sound public health practice respecting confidentiality and privacy issues involving patients are ignored under the bill. The bill I'm referring to is the Ontario bill there.

There were additional concerns raised by the Canadian Medical Association that knew Ontario law could force blood sample collection. The CMA's director of ethics voiced his concerns that it contravened that association's recently revised policy on HIV infection in the workplace, which reasserted that compulsory testing was unjustified.

I know that the sponsoring member here has already been quoted in the media as saying that since the Ontario legislation there has been a higher rate of voluntary compliance, and they've not had to compel anyone to be tested. I also heard the Member for Calgary-North Hill talking about, you know, even if it was just a few people, we should have this bill to protect those few people who flat out refuse to be tested.

I went looking to see how many people we'd actually be trying to protect here. What is the magnitude of the problem of people who flat out, absolutely, positively refuse to be voluntarily tested? The information that I have is that as of 2002 there have only been two probable cases of occupational transmission of HIV and one confirmed case. The two confirmed cases were lab workers, so they wouldn't have been covered by what's being anticipated in this bill, which is only emergency medical personnel.

The office of the federal Privacy Commissioner had a test that was very interesting. They had four tests. The first one was necessity. Is the bill necessary? I've already talked, so far, about two probable cases of occupational transmission, one confirmed case.

A second test of effectiveness. Is the bill effective? Again, I'm referring here to the federal legislation. The point raised is that it would take time to get an order and carry out the testing, and the results wouldn't be conclusive. Part of my concern around this is that a negative test result doesn't necessarily mean that the person isn't infected. That's part of what's causing me real concern around this bill, and it's been raised in a number of places. I'm not the first person to raise it.

But the Member for Calgary-North Hill was clearly saying that a big impetus behind this was peace of mind to the emergency personnel that may be put in a situation where they would have cause to believe that they had been infected, and my concern is that they don't get peace of mind out of this because those first tests can be false-positives or false-negatives and you still need a repeat testing to be absolutely sure that you've got the correct diagnosis. So if the purpose of this bill is to make sure that we're offering peace of mind to our emergency personnel, I've a real concern that this bill in fact does the opposite because it gives a false reading, if you want.

I would be more concerned that we would actually end up with someone who could contract one of these truly, truly horrible diseases because they believed in initial testing that was taken and in fact didn't follow up. That's part of what causes me to ask questions about this.

5:20

The third test is proportionality. How much of an invasion of privacy is this? I think we have to be very, very careful. If I can use the example of universality of programs and this government's attitude to universality of programs, there seems to be an understanding by the government on that level that: well, it's okay if you break the universality of something because it's just a little bit in any given example that I've ever heard, and it won't affect the way everything else operates. But it does affect the way everything else operates because the next program along they go: well, the last time it wasn't so bad, so we can expand this a bit more and take away more universal programs that are being offered.

That's part of what concerns me about this. As soon as you start to pierce the body wall, pierce that integrity of the person, I think we

venture into very dangerous territory, especially when we're trying to protect someone else who is providing a service, an underpaid service in many cases and often an underappreciated service, to society as a whole, that being police officers, firefighters, emergency medical personnel.

So I am very cautious about that because I think it gets used as a precedent by others whether or not that was intended in the first place. It makes it easier to expand that. If I go back and go: okay; so we're looking at breaking that wall, breaking that level of understanding of privacy for how many people? Again, with the information I have – and please prove me wrong. Please come up with other information. I'm happy to get it. I have not made up my mind how I'm going to vote for this bill. I'm listening carefully to what people are saying. I don't know how I'm going to vote on this, but these are the concerns that I have.

The fourth test from the Privacy Commissioner is: are there less-invasive alternatives? Under voluntary consent I note that most people agree to be tested, and in fact we've had other people discussing that here. In Edmonton last year 19 cases were reported where police officers were exposed to bodily fluid, and in only two of those cases did the people involved refuse a blood test. So I think a lot of this is around improved prevention and management of occupational exposure. Those are the comments and issues that I wanted to raise.

I think it's important that we note that there are only two other instances where we take bodily samples without consent. One of them is testing for alcohol, for example, with drinking and driving, and second is DNA samples relating to prosecution of serious offences. The second one involves a fairly lengthy court process to prove the point. The first one is a less lengthy process. This one is involving going to a medical officer, and there is a time lag there.

So I think there are very, very serious issues that are being raised here, and I look forward to the rest of the debate.

Thank you.

The Acting Speaker: The hon. Member for Calgary-*Buffalo*.

Mr. Cenaiko: Thank you, Mr. Speaker.

The Acting Speaker: Oh, I'm sorry. There's no question after this.

Is there no other speaker? Nobody else wishes to speak? The hon. Member for Edmonton-*Castle Downs* to close debate.

Mr. Lukaszuk: Thank you, Mr. Speaker. The members opposite have raised some very good questions. I would like to point out to the Member for Edmonton-*Centre* that she may have by error or omission not noticed, but good Samaritans are included in Bill 204, so definitely all good Samaritans will be covered. But, indeed, she is correct in the fact that victims of crime are not covered in the bill unlike in the Ontario counterpart of this bill where they are. There are a number of reasons for it, and I will perhaps get into that debate in committee to try to explain what the reasons for it are.

Nonetheless, all of the points brought forward by the members for Edmonton-*Highlands* and Edmonton-*Centre* are valuable, and those are considerations that ought to be taken in voting for the bill.

At this time, Mr. Speaker, I would like to call for conclusion of the debate on Bill 204 and ask the question.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 5:25 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abbott	Graham	O'Neill
Ady	Haley	Ouellette
Amery	Hlady	Pham
Boutilier	Horner	Shariff
Calahasen	Hutton	Stelmach
Cao	Jablonski	Stevens
Cenaiko	Jacobs	Strang
Danyluk	Johnson	Tarchuk
DeLong	Jonson	Taylor
Doerksen	Kryczka	VanderBurg

Dunford
Friedel
Goudreau

Lougheed
Lukaszuk
Magnus

Vandermeer
Woloshyn

Against the motion:

Blakeman

Bonner

Mason

Totals:

For – 38

Against – 3

[Motion carried; Bill 204 read a second time]

[The Assembly adjourned at 5:37 p.m.]