

Legislative Assembly of Alberta

Title: **Monday, May 3, 2004**

1:30 p.m.

Date: 04/05/03

[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon. Welcome back.

Let us pray. Guide us so that we may use the privilege given to us as elected Members of the Legislative Assembly. Give us the strength to labour diligently, the courage to think and speak with clarity and conviction and without prejudice or pride. Amen.

Hon. members and to all the people in the galleries, let's all participate now in the singing of our national anthem. We'll be led today by Mr. Maurice Lorieau. Please participate in the language of your choice.

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: Hon. members, Mr. Lorieau is from Calgary, so we appreciate him coming today. Thank you very much.

Please be seated.

head: **Introduction of Visitors**

Mrs. McClellan: Mr. Speaker, it is a distinct pleasure to introduce to you and through you to members of the Assembly His Excellency Graham Kelly, high commissioner for New Zealand. He is seated in your gallery and is accompanied by his wife, Mrs. Janette Kelly. The high commissioner has had an opportunity to visit with a number of my colleagues in the Legislature, including I believe yourself, where you had an opportunity to discuss Canadian Parliamentary Association days.

We have a number of links with New Zealand, and we have much in common. We, of course, have our ties to the Commonwealth. We share a history of British parliamentary democracy. As a member of the Cairns group of agricultural exporting countries, New Zealand is a strong Alberta ally in supporting increased liberalization of world agricultural trade. Our educational institutions in Alberta and New Zealand are enjoying student and staff exchanges. Mr. Speaker, many, many opportunities abound for us to continue our relationship in trade, cultural, and educational opportunities. Certainly, I enjoyed the opportunity to discuss that with the high commissioner.

Mr. Speaker, I would ask that our honoured guest, along with his wife, please rise and receive the very traditional warm welcome of our House.

head: **Introduction of Guests**

Mr. Jonson: Mr. Speaker, today I have the privilege of introducing to you and through you to members of the Assembly two school groups from the Ponoka-Rimbey constituency. First of all, I wish to introduce 48 students and three teachers from the Bluffton school. The teachers are Mrs. Sharon Johnston, Mrs. Connie Jensen, and Mr. Nolan Krauss. Please rise. I would ask that you give them the traditional warm welcome of the Assembly.

Also, Mr. Speaker, from the Rimbey elementary school we have a group of 27 students and three leaders plus helpers and one nurse. The teachers are Walter Johnson, Val Warren, and Kathy Turner. Parent helpers are Guy Beaulieu, Karen Weisgerber, and Ila Lyster. Grace Johnson is a nurse supervisor with the group. I would ask that they stand and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you a number of people who work with the Department of Health and Wellness, specifically in the population health strategies area. Helen Legg has been our lead on diabetes in the Alberta diabetes strategy. Sherri Wilson is our project manager on the Healthy U campaign. Fern Miller has an area of expertise in mental health. Irene Mazurenko has an area of expertise in perinatal health. Finally, Annette Lemire is responsible for areas of child health and children and youth with complex needs. I had the opportunity to take a photograph and meet with these fine women, part of our civil service, earlier this afternoon, and I would ask that they rise and please receive the warm welcome of this Assembly.

The Speaker: The hon. Member for Wainwright.

Mr. Griffiths: Thank you, Mr. Speaker. Today it is the greatest pleasure of mine to introduce to you and through you to members of this Assembly 17 students from Coronation school, which is located in Coronation, Alberta, my hometown. They're accompanied today by their teacher and a friend and neighbour of mine, Mr. Dan Kinakin, as well as by parent helpers who are also friends and neighbours of mine: Mr. Mark Zimmer, Ms Colleen Rush, Mrs. Hilda Gardner, Mrs. Lisa Plenhert, Wanda Merchant, and Wendy Glazier. I'd ask that they rise and please receive the traditional warm welcome of the Assembly.

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

Mr. Cenaiko: Thank you very much, Mr. Speaker. It's a pleasure for me to stand and introduce to you and through you to members of this Assembly my summer student, Mr. Peter Davis. Peter is the son of Mr. Jack Davis, who is a well-known figure in this Legislature. Peter is in his fourth year of communications at Mount Royal College and will be a great addition to our staff over the summer. I'd like to ask Peter to stand – he is seated in the members' gallery – and receive the warm welcome of this Assembly.

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

Dr. Pannu: Thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly a friend of long standing, Dr. Baldev Abbi. Dr. Abbi is a lifelong educator and a psychologist. He taught in Alberta schools for 18 years and then worked in the department of psychology at the University of Alberta for several years following his school teaching. Dr. Abbi is seated in the public gallery, and I would ask him to please rise and receive the warm welcome of the 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 Louis and Ruth Maria Adria, who represent the Elder Advocates of Alberta and are here to

observe the proceedings of this House. They are seated in the members' gallery, and I want to ask Louis and Ruth Maria to please rise and receive the very warm welcome of this Assembly.

head: **Oral Question Period**

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

Emergency Hospital Services

Dr. Taft: Thank you, Mr. Speaker. New information from the Capital health region shows that emergency rooms in the Edmonton area are under siege. The Liberal opposition has learned that on some nights as many as 90 to 100 people in Edmonton area emergency rooms are assessed and waiting to be admitted to hospital beds, more people than in this entire Assembly. An Alberta Liberal government would never have allowed this to happen. My questions are to the Minister of Health and Wellness. Given that Capital health has indicated that 350 beds are needed immediately – immediately – to alleviate its bed crisis, why has the government only committed to adding 170?

1:40

Mr. Mar: Mr. Speaker, the Capital health region treats approximately 370,000 people in emergency rooms throughout the year. Patients are all assessed in emergency, and any patient with a life-threatening illness or injury receives treatment immediately. So this is a very important point to note: that people are not waiting hours to be treated. They may wait to have a bed assigned to them if it is determined that they require one.

We know, of course, that the population of the province is growing. We know that there are a higher number of visits to emergency rooms here than, say, in the Calgary health region. We are putting forward \$41 million in our capital plan to repatriate some 170 beds that exist in hospitals throughout the Capital region, space that is now being freed up because of the consolidation of administrative space in a central location, which is a step that the Calgary health authority took some number of years ago. Mr. Speaker, we are working with the Capital health authority to meet the real needs.

The Health Link line has reduced the number of unnecessary emergency visits each year by thousands. It takes 800,000 calls a year. We know that that's helping, but we also know that in moving these 170 beds forward, it's not simply a matter of snapping your fingers and having all those beds and all the staff that is required to fill them. It requires careful planning on an ongoing basis to make sure that you not only open beds but that you actually have people who can staff those beds and look after the needs. It's not simply a capital decision.

The Speaker: The hon. leader.

Dr. Taft: Thank you. How does the minister explain that in Alberta, the wealthiest province in Canada, Edmonton and Calgary have some of the lowest acute care bed ratios for their population in the entire country?

Mr. Mar: Mr. Speaker, we have led this country in terms of the kinds of innovations that we have. We put enormous amounts of effort into things like designated assisted living, into long-term care. We make sure that acute care hospitals are reserved for those people who have the most urgent needs. But there are other ways of dealing with people in our health care system than hospitals. I want the hon. member to understand that health care does not equal hospital care. There are many different facets of health care.

Furthermore, Mr. Speaker, it's difficult to compare our province to other provinces when the average age of our population is generally younger than most other parts of the country; our needs are different. This kind of simple analysis does not lend itself to good policy direction.

Dr. Taft: Well, will the minister commit here and now to providing the 700 new beds that the Capital health region needs for the Edmonton area?

Mr. Mar: Over time, Mr. Speaker, certainly, we'll be looking at the real needs expressed by not only the Capital health region but health regions throughout the province. I think that it is important to know – and the hon. Minister of Infrastructure may wish to supplement – that we are investing billions of dollars into health care over the next five years. We have a significant plan, but again capital decisions are not the only part in the planning for the delivery of health care. We also have to deal with the real and legitimate needs of operating costs associated with such facilities.

Government Aircraft

Dr. Taft: Mr. Speaker, before the Liberal opposition started asking questions about the government's air fleet, the Minister of Infrastructure said, "Those manifests are all available to the public, and they can be viewed at any time." But since 10 a.m. Friday the government's infamous code of silence has been imposed. For this government democracy seems an inconvenience. To the Minister of Infrastructure: what is the government hiding?

Mr. Lund: Mr. Speaker, we're hiding absolutely nothing. As a matter of fact, what was available before the Liberals started asking questions about the aircraft flight is still available. They're available over at the department. If those aren't good enough, then the Liberals and others can use the FOIP process, and then they can get a hard copy of the logs that they're requesting. There's nothing to hide. As a matter of fact, I would challenge the member: why doesn't he ask for a year, FOIP a year, then compare that with what has been available all the time and see if there are any discrepancies? I trust that there won't be.

Dr. Taft: Can the minister explain why on this last Friday flight manifests suddenly became subject to the costly and bureaucratic freedom of information act when the day before they were available to anyone at any time?

Mr. Lund: Mr. Speaker, that's very easy to respond to. All of a sudden we became overburdened with requests. The media started asking. The Liberals asked, and the Liberals, to put this in context, wanted to send over five researchers – we only have the capacity to handle two at a time – and they wanted to look at all of the manifests for over 10 years. The fact is there are some 1,200 manifests a year, and they wanted to go over 10 years, so that's about 12,000 manifests that they were wanting to look at.

If you break it down – and I don't know what they're looking for – I suspect that they couldn't do more than 60 an hour. That's one a minute. With the amount of information that's on those, I suspect that that's all they could handle. If you worked that out, Mr. Speaker, that's over 200 hours – 200 hours – that we would have to provide staff so that they could look at these manifests, and that's just for one request.

There were a number of other requests, Mr. Speaker, so we just simply couldn't handle those kinds of requests, and 200 hours at,

say, four hours a day – we've got to remember that we've got staff that are assigned other duties. They're not just assigned to babysit the Liberals. So if you take four hours a day, that's some 50 days. They can get it even faster through FOIP.

The Speaker: The hon. leader.

Dr. Taft: Thanks, Mr. Speaker. Was it the minister who gave the order to classify this information, or, if it wasn't, could he tell us who it was?

Mr. Lund: Mr. Speaker, once again, we are not classifying the information. They can get that information through FOIP, and I would urge them to do it.

Mr. Speaker, he commented about the cost, but I find that very interesting. They get a large sum of money for research. If they want to spend it that way, they're welcome to it. But why should we in the department spend a large amount of taxpayers' dollars in order to satisfy their witch hunt?

Dr. Taft: To the Minister of Finance: given that Executive Council and Infrastructure alone spent \$6 million on air travel last year, how much do all the other ministries spend?

Mrs. Nelson: Well, Mr. Speaker, the hon. Leader of the Opposition has had almost a daily occasion to be able to access that information through Committee of Supply to the ministries as they come forward, and I suggest that you direct it to each minister.

Dr. Taft: To the Minister of Government Services: did the government consult the Privacy Commissioner before arbitrarily blocking access to flight information behind the freedom of information act?

Mr. Coutts: Mr. Speaker, there is a provision in the FOIP Act. When the process is properly followed, if applicants have felt that they have not been served properly by the departments that they're requesting information from, they have an opportunity to go to the Information and Privacy Commissioner and ask for a decision on the activities they have requested. That is part of the FOIP Act, and it is there for the use of any applicant who doesn't feel that they have been properly served by the process.

1:50

Dr. Taft: To the same minister: when will the government stop stonewalling its democratic duty and simply post information about flights on a web site so that all Albertans can see how their tax dollars are being spent?

Mr. Coutts: Mr. Speaker, the Department of Government Services is responsible for the overall Freedom of Information and Protection of Privacy Act. For that act, as it's depicted amongst the various departments in this government, every single solitary department has a FOIP co-ordinator. They are trained by our department folks, and they follow the process that is outlined in the act.

The Minister of Infrastructure has stood in this House and has recommended that anyone wanting to get access to the summaries can do that. That's the decision that has been made, and the process is there. That process is set out in the FOIP Act, and that department is familiar with that process, and we ask that those folks that have been asked to follow that process do so.

The Speaker: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Clover Bar-Fort Saskatchewan.

Beef Recovery Strategy

Mr. Mason: Thank you very much, Mr. Speaker. Since the first case of BSE was found in Alberta, this government has adopted a strategy of simply hoping for the border to be reopened rather than working to offset the disastrous consequences BSE has inflicted upon ranchers. After the second BSE case was traced back to Alberta, the government promised it would not be caught off guard again and would develop a plan for the beef industry in the event that the border did not open soon. Eleven months later that so-called plan B, released Friday, contained few specifics and no hope for ranchers that the government might protect them against packer monopolies if the U.S. market remains closed. My question is to the Minister of Agriculture, Food and Rural Development. Why has the minister reneged on her promise to produce a real contingency plan and instead has just produced a vague document that promises yet another plan sometime down the road?

Mrs. McClellan: Mr. Speaker, I find it interesting that the maybe deputy leader of the third party knows more about the beef industry than the some 65 people from the industry that sat around the table and drafted this document.

I would like to put on the record just a few names of the drafting team of this document that he holds in such low regard: Arno Doerksen, chairman, Alberta Beef Producers; Jeff Warrack, past chair of the Alberta Cattle Feeders' Association; Willie Van Solkema, Canadian business manager, Cargill Foods; Bob Kalef, president and CEO, Centennial Foods; Gary Sargent, general manager, Alberta Beef Producers; Brad McLeod, meat committee, Alberta Food Processors Association; Glenn Brand, director of marketing, Beef Information Centre; Colin Campbell, senior marketing and trade officer, Agriculture and Agri-Food Canada. Then, Mr. Speaker, we do have Dale Engstrom, Rick Frederickson, Darcy Willis, Jackson Gardner, and Alan Ford from AAFRD.

The majority of the people that made up this report, which I think is a fine document that actually talks about the issue, that actually puts it into context, that actually talks about a vision for the industry and guiding principles and strategic priorities, and goes into themes – Mr. Speaker, I know you want to give him an opportunity to ask the next question, and I'd be happy to go over the rest of the document in the answer.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. I would ask the minister: just how long will the border have to remain closed – and we all hope that it doesn't remain closed – before this government will take concrete action to regulate the monopolistic practices of the American owned and controlled beef-packing industry in this province?

Mrs. McClellan: Well, Mr. Speaker, the one thing that this government and this minister will continue to do is work with the industry and listen to the industry. We'll continue to talk about the issues that are around the unfortunate continued closure. However, we're fairly optimistic that this situation will resolve itself in the near future, especially after the federal minister of agriculture, the Prime Minister, the U.S. Director of Agriculture, and the President of the United States had a conversation about this issue last week, and the American President, Mr. Bush, made it very clear that it is his desire and his government's desire and the industry's desire to see this solved as quickly as possible.

Mr. Mason: Mr. Speaker, given that the government's Republican cousins in the United States may in fact be in serious trouble in this

election and may not in fact be back after November, what will the government do if the border does not reopen?

Mrs. McClellan: Well, Mr. Speaker, that's a part of the family of cousins that I hadn't really thought of, you know, being related to.

Mr. Speaker, I want to go back to the document. While it may not be what the learned member across the way wants, it is what the industry players – and I go back and repeat that there were 65 persons from the industry, from all aspects of the value chain that prepared this document and talked about market access and how to achieve it. There is a strategy in that. It includes harmonization of the end users. It talks about the theme of consumer confidence and the safety and quality of beef and a strategy to deal with that.

Building capacity is about packing plants' capability and advantage within the value chain. That is about recognizing that we do need additional capacity even if the border does open, Mr. Speaker. What we really need the border open for is to create some arbitrage and some price determination in the marketplace.

Then if you continue on in the document, which is extensive – and I know that we don't have a lot of time – it does talk about short-term considerations. I would point the hon. member to page 10, and it is: "Border remains closed to live animals." Slowly I will read it: (a) situation, (b) consequence, (c) responses and possible actions. Just read those sections.

The Speaker: Perhaps the hon. Deputy Premier would be able to file the document a little later.

The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Edmonton-Gold Bar.

Natural Gas Royalty Rates

Mr. Lougheed: Thank you, Mr. Speaker. For low natural gas prices and low oil prices the royalty rate return to Albertans is low. This is to allow the companies to recover their costs of exploration and development. However, at a price of about \$3 per gigajoule, which is much less than the current \$7 per gigajoule, for the price of natural gas that is, the royalty rate for natural gas flattens out. After about \$3 per gigajoule the rate is a constant 30 per cent no matter how high the price goes up. Since the companies are protected at lower prices, it seems that Albertans as the owners of the resource should receive higher royalty rates as the prices rise. Could the Minister of Energy explain why that's not the case?

Mr. Smith: Well, you know, Mr. Speaker, it's a very good question. In fact, I think that when the price-sensitive royalty model was first constructed, the contemplation of \$4, \$5, \$6, \$7, \$8, \$9 gas was something that was extraordinarily infrequent. From that perspective perhaps it is a good message to examine that royalty structure.

From the perspective of royalties being structured so that they attract investment – and we all know that no job is created without adequate investment – this royalty structure in Alberta is such that it reflects the types of gas pools that we have throughout Alberta. Alberta is characterized by a bountiful amount of gas but in difficult-to-find areas and with greater geological differences than what is usually encountered. So with that, Mr. Speaker, came the royalty structure that encouraged the private sector to find new and creative ways to find gas in this province. The second thing was, of course, that all that data is kept for a year at the EUB and then made public. So that has allowed us to have a very successful private sector.

2:00

Now, let me just briefly, Mr. Speaker, talk about: for every dollar the price of oil increases, the royalty change is about \$65 million.

For every 10 cents increase in the price of natural gas, Alberta collects a further \$105 million in royalty. So what we do know is that we have a royalty structure that reflects some low productivity, high finding costs, and it's created the biggest bonanza of drilling in the history of Alberta.

The Speaker: The hon. member.

Mr. Lougheed: Thank you, Mr. Speaker. We often hear of much higher royalty rates paid to other jurisdictions. How does Alberta's royalty share compare to the royalty share of, say, Norway or Alaska?

Mr. Smith: Well, the royalty discussion is always one that continues on an ongoing basis. For example, developing the oil sands created another opportunity to have even a different type of royalty structure, so we put the generic royalty regime in place. That's resulted in a great deal of investment, Mr. Speaker, and we're seeing the resulting payback starting to accrue to Albertans, particularly in this high price environment.

Now, as companies throughout the world look for competitive ways to place their capital, they also look for the people who have the expertise to benchmark the toughness or the competitiveness of the royalty regime. We use a couple of groups. Dr. Pedro van Meurs and Daniel Johnston are internationally recognized petroleum experts. They rate Alberta as one of the toughest fiscal regimes in the world in terms of the high share of nonrenewable resource revenue received by government: continuing to do a good job, Mr. Speaker, continuing to be competitive.

Mr. Lougheed: Mr. Speaker, could the minister explain how Alberta's royalty rates compare to those of our adjacent provinces?

Mr. Mason: How about Norway?

Mr. Smith: Well, you know, Mr. Speaker, not only has this member mentioned adjacent provinces, but a member of the third party chipped in, "How about Norway?" Well, Norway doesn't deliver some 7 billion to 9 billion dollars in transfer payments to another jurisdiction each year. This government does. These Albertans, through the prosperity of oil and gas exploration and oil and gas economic grants, participate in Confederation to the tune of 7 billion to 9 billion Canadian dollars per year.

Is our royalty regime competitive? It's being copied, it's being imitated, and it's being duplicated by British Columbia and by Saskatchewan. As well, we continue to support the efforts of the Northwest Territories and Nova Scotia and Newfoundland to have their own royalty structure independent of the federal government.

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

Automobile Insurance Reforms

Mr. MacDonald: Thank you, Mr. Speaker. In 2002, the latest year that statistics were available, bodily injury claims and adjustment expenses incurred totalled \$725 million here in Alberta. My first question is to the Minister of Finance. What percentage of the total bodily injury claim costs will be eliminated in Alberta with the \$4,000 cap on pain and suffering damage?

Mrs. Nelson: Mr. Speaker, what I can tell the hon. member is that the changes to automobile insurance that have been put in place and

are moving forward for implementation this summer in the province of Alberta will see roughly \$200 million come out of the premium side of the equation, and that will be in the form of returns back, savings for Albertans. That's being accomplished in good part by the cap that is going on plus the revamping of the structure. It's there to give Albertans an accessible and affordable automobile insurance package. The exact percentage: I don't have that number with me, but we can get it.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the same minister: given that there were 19,190 claims in 2002 for bodily injury in Alberta, private passenger, how many of these claims would now be included in the \$4,000 cap on pain and suffering?

Mrs. Nelson: Well, that would be something to anticipate, and I can't give him that number, Mr. Speaker.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: if we're going to see roughly \$200 million in savings, if that is part of the percentage of the total loss costs, how will this be affected for total loss costs for all auto insurance coverages combined when we change in Alberta and go to the \$4,000 cap on pain and suffering? Where will the \$200 million come in?

Mrs. Nelson: Well, Mr. Speaker, the structure that we're bringing forward deals with the compulsory automobile insurance that we require through law in this province, so when the hon. member talks about all automobile insurance being covered under this change, we're looking at the compulsory automobile insurance in the province, which is the PL/PD that has to be in place for every person that operates a motorized vehicle in the province.

Now, as we move into the new structure, we anticipate that \$200 million will come out of the system on the premium side, and of course then that is offset by a balancing on the benefit. Clearly, the cap should deal with the claims and actually be beneficial for people, because part of the process will be to get people into treatment as quickly as possible and try and get them back to a healthy position as quickly as possible without going through a long process of debate between insurance companies and lawyers, et cetera.

We expect that this will be beneficial all the way around for the consumer of automobile insurance and that it will come into effect this summer. To give you an idea of what will be and what is as we go through this, I think you'll see the benefits to Albertans quite clearly.

It has been a very long process, Mr. Speaker, to get to this point of implementation, and we're almost there. I hope that the hon. member will bear with us as we go through these next six weeks of finalizing regulations.

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

Repeat Impaired Driving Offences

Mr. Pham: Thank you, Mr. Speaker. In memory of loved ones lost to drunk drivers, 90 white crosses were carried through the streets of Edmonton yesterday. The 90 crosses represent the number of Albertans killed each year in drunk driving accidents. In some of these incidents the driver had previously had multiple convictions for impaired driving, which proves that more needs to be done to deal with repeat offenders. My question today is to the Minister of

Justice. Can the minister tell the House what his ministry is doing to get these killers off our roads?

The Speaker: The hon. Minister of Justice and Attorney General.

Mr. Hancock: Well, thank you, Mr. Speaker. The issue of impaired driving is one that we take very, very seriously. I've had the opportunity to work with the Minister of Transportation and with the Solicitor General with respect to finding better ways to deal with not just traffic safety, not just impaired driving but also with people who have numerous convictions for impaired driving. It's very, very important. As the hon. member has indicated, 90 people each year are killed by impaired driving. It's criminal. It has to be treated as criminal. It may even be worse than some of the other criminal activity which hurts or kills people in our communities, because people ought to feel safe on our streets, and they don't even see it coming.

Our prosecutors have been instructed to monitor those high-profile cases closely. We've appointed a specific prosecutor to monitor the situation and to work with other prosecutors across the province to identify cases where there have been multiple convictions.

If a person has been identified as a chronic drunk driver, we will now be attempting to secure the maximum protection for society by seeking substantial sentences including dangerous offender and long-term offender status. This is important, Mr. Speaker, because long-term and dangerous offender designations carry some of the most severe consequences in the Criminal Code. These designations will help us to take people out of the community who are not learning their lessons about the safety of the community.

It's important to understand that applications for long-term and dangerous offender status can only be used in the most serious of cases. It would involve a repeat impaired driver who's been convicted of an offence that has caused death or bodily harm and where it's been established that the communities would not otherwise be adequately protected from the offender.

2:10

The Speaker: The hon. member.

Mr. Pham: Thank you, Mr. Speaker. Given the minister's answer, do we have to wait until somebody is hurt or injured or killed before we can take action against these people?

Mr. Hancock: Well, Mr. Speaker, in terms of the long-term offender or dangerous offender status, there does have to be a conviction for a crime which involves a serious injury or death, so impaired driving causing death or impaired driving causing serious injury. However, it doesn't stop there. We will be toughening up on all repeat drunk driving offences, such as seeking more serious penalties for repeat drunken drivers, even those who do not fit the criteria for long-term or dangerous offender status.

We'll be working with police services to identify and effectively prosecute chronic drunk drivers and make sure that those prosecutions are better co-ordinated, emphasizing in court the section of the Criminal Code that requires a sentencing judge to consider severe alcohol impairment as an aggravating factor in sentencing.

We'll be continuing, Mr. Speaker, with the efforts that we have taken – Alberta has taken a leadership position in conjunction with British Columbia, Manitoba, Ontario, Nova Scotia, and more provinces are getting on board all the time – to have the Criminal Code sections with respect to conditional sentences changed so that conditional sentences cannot be used in areas of serious and violent crime, including impaired driving causing death and serious injury.

The Speaker: The hon. member?

The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-West.

Midwifery Services

Ms Blakeman: Thank you, Mr. Speaker. Midwives could help ease the pressure of physician shortages caused for a number of communities that don't have a practising obstetrician. This government's failure to pay midwives to deliver babies is forcing midwives to return to nursing or leave the province. My questions are to the Minister of Health and Wellness. In recognition of International Midwives Day could the minister explain why this government won't publicly fund midwifery, as some other provinces already do?

Mr. Mar: Mr. Speaker, it's true that midwives can provide an important service. Regrettably, there are not that many of them. There are on my last count I believe 17 midwives in the province. There are a number of them that are working within regional health authorities, that are working in collaboration and co-operation with physicians.

We recognize that midwives are competent to deal with low-risk births and that it makes some sense to involve them. We think, Mr. Speaker, that through our local primary care initiatives, where physicians are provided certain amounts of money to hire other health care professionals to work within a local primary care team, there may be an opportunity for midwives and other health professionals to be practising much more within the scope of their practice.

We have not yet seen any of the LPCIs come forward – it would be premature to expect them to – but over time, Mr. Speaker, I think that midwives, like many other health professionals, will be able to demonstrate the value of what they can provide to a multidisciplinary team in providing primary health care, including matters related to the competencies that exist within the profession of being a midwife.

The Speaker: The hon. member.

Ms Blakeman: Thank you. To the same minister: why must midwives pay the first \$5,000 of their liability insurance before the government steps in while physicians must only pay the first \$1,000?

Mr. Mar: Mr. Speaker, I can correct myself at some later juncture if I'm incorrect, but to the best of my recollection we cover approximately \$10,000, in round numbers, per midwife for their professional liability insurance. I think that that is a significant contribution on the part of the provincial government.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Again to the same minister: well, given that 10 years ago we had 150 midwives – now we're down to 17 – the government has had a working group on funding midwives, which reported a year ago, and there have been numerous pilot projects that have and continue to be run, why does the government continue to delay, deny, and defer? What's the problem?

Mr. Mar: Mr. Speaker, I refer the hon. member to review the Blues of my first response to her initial question, and that is that we are providing an opportunity for all health professionals to work to the much fuller scope of their practices and their competencies. We recognize what competencies are within the profession of midwifery, and we think that through our local primary care initiatives there will be opportunities for midwives to practise in that area if that's what they choose.

The Speaker: The hon. Member for Calgary-West, followed by the hon. Member for Edmonton-Mill Woods.

Crossborder Sale of Prescription Drugs

Ms Kryczka: Thank you, Mr. Speaker. Many of my constituents and friends are increasingly concerned about crossborder Internet sales of Canadian drug supplies to the United States. A research organization, the Pharmacy Alliance for Canadians, estimates that Alberta is leading Canada with the highest growth rate, 216 per cent, of Internet sales of pharmaceutical products to Americans. The Alliance represents local companies such as Canada Safeway, Shoppers Drug Mart, and London Drugs. They say that the increase in crossborder pharmacy sales is already causing prescription drug shortages at the pharmacy level in some provinces such as Manitoba, where crossborder drug sales first began. In fact, 79 per cent of pharmacists there report drug shortages. My question is to the Minister of Health and Wellness. Are crossborder drug sales affecting the supply of prescription drugs in Alberta?

The Speaker: The hon. minister.

Mr. Mar: Thank you, Mr. Speaker. Sir, the sale of prescription drugs by Canadian distance pharmacies to American consumers has been occurring for some time. By last count I've been advised that there are some 100 such distance pharmacies operating within Canada that quite likely are selling pharmaceuticals to American customers. The largest number of such distance pharmacies, I'm advised, are in the province of Manitoba.

While the Pharmacy Alliance for Canadians does report that some drugs are in short supply, we do not have any information to support that claim here in the province of Alberta. We are continuing to monitor it, Mr. Speaker. My department informs me, again, that there's no evidence that crossborder sales of prescription drugs are resulting in a shortage of such drugs being available to Albertans, nor is there any evidence to suggest that prices are increasing as a result of this activity going on.

Ms Kryczka: My first supplemental question is to the same minister. Given that the alliance does believe that recent prescription drug prices are directly due to the rising crossborder drug business, does the minister have a plan to protect Albertans from prescription drug shortages and drug price inflation?

Mr. Mar: Well, Mr. Speaker, I think that there has been a recognition of this issue not only by the Department of Health and Wellness here in the province of Alberta but really across Canada. I think it would be important to recognize that even if an individual province within this country were to take action against distance pharmacies or Internet drug sales, as they're sometimes referred to, really all that would do would be to move the industry to another province.

Last December, I can advise this House, all provincial and territorial deputy ministers of health identified Internet pharmacy sales as a potential issue. This province is participating in a Canada-wide review to assess the scope and impact of distance pharmacy or Internet pharmacy sales on public health drug supplies. We'll continue to work provincially with our own Alberta College of Pharmacists and other stakeholders to monitor this issue.

We will take whatever steps are necessary in the event that there is a legitimate issue as alleged by the Pharmacy Alliance, but again, Mr. Speaker, there is no such evidence available at this time.

The Speaker: The hon. member?

The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Strathcona.

Postsecondary Tuition Fees

Dr. Massey: Thank you, Mr. Speaker. The president of the students' union at the University of Alberta has taken issue . . . [A loud thumping sound was heard]

Dr. Taylor: I can hear your heart, Don.

Dr. Massey: At least I have one.

The Speaker: Hon. member, there seems to be something malfunctioning with the system that we have.

The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Speaker. The president of the students' union at the University of Alberta has taken issue with the answers given in this House by the Minister of Learning with respect to tuition. My questions are to the Minister of Learning. Why did the minister characterize the CPI plus 2 per cent tuition solution as the students' choice when what they really wanted was a tuition freeze?

Dr. Oberg: Mr. Speaker, the CPI plus 2 came in at discussions with the students' unions. It was suggested and recommended by one of the presidents of a students' union in Alberta. It was not the students' union from the U of A.

2:20

Dr. Massey: To the same minister: why did the minister tell the House that "student debt in Alberta has consistently gone down" when student debt has increased substantially during the 1990s?

Dr. Oberg: Mr. Speaker, student debt has been going down. What we've seen is that with the increasing amount of student loans, the increasing loan grants that are given to the students presently in Alberta, with the full student loan they will have approximately \$5,000 to pay back on a loan limit of \$11,600.

Dr. Massey: Again to the same minister, Mr. Speaker: why does the minister persist in the myth that there's a 30 per cent cap on tuition when as soon as an institution hits the 30 per cent, that cap disappears?

Dr. Oberg: Mr. Speaker, in Alberta right now the main universities are sitting at – approximately 24 to 25 per cent of the expenses is now tuition. They have the ability to go to 30 per cent. They raise their tuition by approximately \$275 to \$280 per year in a prescribed formula that is included in the legislation. Once they reach 30 per cent, the increase to tuition is not as much as it is now.

We currently have approximately three or four institutions around the province who have hit 30 per cent, and the reason they have hit 30 per cent, Mr. Speaker, is because they have decreased expenses. It's very simple. It's a very simple numerator/denominator issue, and the expenses have gone down.

The University of Lethbridge, for example, is sitting at I believe \$4,100 for tuition, which is significantly lower than the \$4,400 or \$4,500 at the University of Calgary and the University of Alberta. Because of the tuition policy they were not allowed to increase their tuition and indeed had to freeze it because of that 30 per cent policy. So what you see, Mr. Speaker, is that despite the fact that they're at 30 per cent, their tuition is still substantially lower than any place else.

The Lethbridge Community College had frozen their tuition for three years, which put their tuition considerably lower than any place else. Why did this occur? This occurred simply because they're being very efficient in what they do. They're lowering their expenses. Their expenses are increasing at a lower rate than any other institution in Alberta. Those are the kinds of practices, Mr. Speaker, that we should encourage, and indeed we do. They still have the ability to increase once they hit 30 per cent. They can go to a cost of living plus 2.

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

Direct Energy

Dr. Pannu: Thank you, Mr. Speaker. The more the fine print of the ATCO/Direct Energy deal is examined, the motive becomes obvious that this is a bad deal designed to rip off ATCO's 1 million natural gas and electricity customers. Direct Energy isn't even doing its own billing but is contracting these services back to an ATCO subsidiary called ATCO I-Tek. Yet thanks to this government's wrong-headed deregulation policy, Direct Energy gets to pick the pockets of ATCO's gas and electricity customers to the tune of \$42 million a year. My question is to the Minister of Government Services. Why are the minister and his toothless Utilities Consumer Advocate failing to protect Albertans by allowing this \$42 million a year rip-off of gas and electricity customers?

Mr. Coutts: Well, Mr. Speaker, this whole issue of the ATCO and Direct sale came up well before the Utilities Consumer Advocate was put in place. The Utilities Consumer Advocate opened up its doors in November of 2003, and over that time we have been dealing with intervention policies with the EUB, which was part of our mandate in the first place. This whole deal with ATCO and Direct came up well before the advocate's office was put in place.

The Speaker: The hon. member.

Dr. Pannu: Thank you, Mr. Speaker. Given that ATCO I-Tek has announced that it's creating 180 new positions to carry out the Direct Energy contract, why are ATCO's gas and electricity customers being asked to pay for the additional private-sector bureaucracy that's been created as a result of the Direct Energy deal?

Mr. Coutts: Well, Mr. Speaker, I just want to make a comment about the role of the advocate. One of his key duties is to provide representation on consumer issues in front of the EUB. The other thing is that the advocate is also there to help consumers help themselves, and the other thing that the advocate does is make sure that if a consumer has difficulty with a company in terms of paying a bill, whether the information that is on the bill is accurate, or correct, or there needs to be an understanding of the information that is on the bill, he will act on behalf of that consumer to make the company's customer service more responsive to the needs of the consumer.

In this particular case, ATCO and Direct have struck an arrangement by which they make sure that their customer service will perform on behalf of the consumers, and if consumers have difficulty understanding that process, they can call the consumer advocate.

The Speaker: The hon. member.

Dr. Pannu: Thank you, Mr. Speaker. Will the minister take

advantage of the opportunity afforded by Direct Energy's appearance before a Tory standing committee meeting this afternoon to ask them some tough questions about why Albertans are \$42 million worse off as a result of this obviously flawed deal?

Mr. Coutts: Mr. Speaker, the consumer advocate of this province is a very hard-working, knowledgeable individual who is very dedicated to the job . . . [interjection] Yes, that's right. He is an individual with the utmost integrity, and he does not shirk any of his duties. I am quite upset by the line of questioning. This is twice in this Assembly that the hon. member has called my consumer advocate, my deputy minister, toothless. He is anything but toothless.

He is acting on behalf of consumers of this province in many, many ways, and it's a very, very effective tool for consumers in this province. He attends all of the meetings that he can possibly attend all across this province and in this building, and that deputy minister, consumer advocate, attends those kinds of meetings because those are the stakeholders that he deals with. He takes that responsibility very, very carefully, and he goes to all of the meetings that they go to and works very, very closely with Direct and ATCO as well as all other companies in the province. Our advocate is anything but toothless.

The Minister of Energy may want to add to that.

Mr. Smith: Mr. Speaker, it's always a pleasure to rise and correct the third party's errors, and some of those errors are important to correct.

The EUB has ruled categorically that all start-up costs must remain with the shareholder, meaning that these costs cannot be passed on to the electricity and the natural gas consumer. This member knows exactly what the EUB ruled on. He knows that the EUB has said: no recovery of the \$90 million. What they have said is that 10 cents a day is added to the natural gas bill so that other call centres' billing operations can be put in place and the way to purchase natural gas in Alberta can lead to further efficiencies and better competition. The electricity customers of ATCO do not pay a nickel more.

In conclusion, had this company not contracted with ATCO, not created these 200 new jobs, he'd have been the first guy to stand up and say: they're off-shoring; they're outsourcing; jobs are leaving Alberta. Jobs are staying in Alberta. You should support this. Come on.

The Speaker: The hon. Member for Wainwright.

Second-language Instruction

Mr. Griffiths: Thank you, Mr. Speaker. The Minister of Learning has indicated that it will become mandatory for every student in grade 4 through grade 9 in 2005 and 2006 to learn a second language. Many of my constituents have called to express appreciation for such a plan but have serious concerns about the implementation and logistics of such a policy. My first question to the Minister of Learning: where will small rural and remote schools who already have challenges finding and retaining qualified staff such as speech pathologists and math 9 teachers find the resources to set up video conferencing or hire a second-language teacher to deliver such a policy?

Dr. Oberg: Mr. Speaker, included in the implementation plan for second languages is the whole idea of expanding the number of teachers that have second-language skills. So, first of all, what we have done is we've put in bursaries and scholarships to the universi-

ties. I've also included second languages in what are called the KSAs, which list the knowledge, skills, and attributes that students are required to have when they graduate from the universities with a teaching degree.

2:30

Directly to answer the hon. member's question, we are looking at ways to ensure that there are video conferencing suites in every school in Alberta. We are very close to putting out RFPs to that effect. We have established standards to ensure that they're there. So, Mr. Speaker, I certainly see the day very soon when there will be video conferencing suites in every school.

The Speaker: The hon. member.

Mr. Griffiths: Thank you, Mr. Speaker. My second question, my first supplemental: how will home-schooled students in rural and remote schools receive such services?

Dr. Oberg: Mr. Speaker, one of the ways that students have been learning second languages for a long time is over computers. If, for example, the home-schoolers choose to home-school their children, there will be courses that are available over the Internet. Of course, it is going to require that they have a computer though, and that's something that they're going to have to do.

Mr. Griffiths: My final supplemental, Mr. Speaker, to the same minister: what will be removed from an already full curriculum to make room for this mandatory second-language instruction?

Dr. Oberg: Mr. Speaker, currently there's about 15 per cent of the curriculum that is not spoken for. There is 85 per cent that has all the social studies, language, mathematics, art, and music, things like that, so there's about 15 per cent open. Our estimates are that second languages will take about 95 hours a year, or roughly 30 minutes a day, so there is the 10 per cent there. There is time available for that.

One of the other areas that we're looking at is the relationship between second languages and English language arts. Certainly, there is a very intimate relationship between learning another language and learning language arts. So we're taking a look at that.

Quite simply, Mr. Speaker, that's one of the reasons why it isn't going in this September. We have the curriculums in place, but there is going to have to be some study, and there is room in the curriculum for this. It's a matter of how we do it and how we do it in the best possible fashion.

head:

Recognitions

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

[The Deputy Speaker in the chair]

Louis and Ruth Maria Adria

Mr. Yankowsky: Mr. Speaker, I rise to recognize Louis and Ruth Maria Adria, who established Elder Advocates of Alberta in the early 1990s. A scripture verse that appears on all their letters, posters, and research states: "Rise in the presence of the aged, and honour the face of the old man." Leviticus 19:32. Indeed, this is what Louis and Ruth Maria are doing as they continue to advocate for a very vulnerable segment of our society, the frail elderly.

The Adrias' mission is to bring mercy and compassion to our sick

and helpless elderly and bring public awareness to the situation frail elderly sometimes find themselves in. Sometimes they are criticized for the length and extent of their zeal, and sometimes they get into trouble for their tactics, but, Mr. Speaker, they cannot be criticized and indeed should be commended for their heart and their dedication to a cause which is very important. May we all rise in the presence of the aged.

God bless you.

The Deputy Speaker: The hon. Member for West Yellowhead.

Floyd McLennan

Mr. Strang: Thank you, Mr. Speaker. I rise today to recognize Mr. Floyd McLennan, who passed away on April 24, 2004. Floyd was the mayor of Grande Cache until his passing, and he was a personal friend of mine for over 20 years. Floyd, a true friend, a true champion of Grande Cache, served as councillor since 1982 and as its mayor since 1990. As mayor Floyd always put the needs of the community ahead of his own, and you could see that by the time and commitment he devoted to the community projects and programs. He was an avid supporter of the Royal Canadian Legion, the Grande Cache Golf and Country Club, and seniors organizations, and he was always willing to participate in various charity fundraisers. He was instrumental in laying the groundwork for the seniors' complex in Grande Cache, which should be starting construction this year.

The town and all who knew Floyd will miss him, his wise counsel, his keen sense of wit. The community and I offer our heartfelt condolences to Gudrun, Stuart, Shauna, Scott, and their families.

Thank you, Mr. Speaker.

Edmonton Folk Music Festival

Mr. MacDonald: I rise to recognize the 25th anniversary of the Edmonton Folk Music Festival. The folk festival began in 1980 in Gold Bar park as the vision of Don Whelan. With his vision and the energy of 300 volunteers this event has grown and matured into one of the world's leading folk festivals. The four-day festival now makes its home in Gallagher park. The park is a wonderful outdoor venue, offering a natural amphitheatre in pristine parkland with an outstanding view of the beautiful Edmonton skyline.

Today over 1,800 volunteers work very hard in many capacities to ensure the smooth operation of this vast undertaking. The values of the folk festival include: to provide a quality, diverse music program that is accessible to all, to develop Alberta artists, and to increase the awareness of folk music. Every year this festival showcases some of the world's best musicians, including outstanding Canadian talent. The folk festival offers a mosaic of music delivered in the finest tradition of Celtic, bluegrass, blues, gospel, roots, world beat, and country music for the enjoyment of all.

Thank you.

The Deputy Speaker: The hon. Member for Calgary-Fort.

International Business Round-table

Mr. Cao: Thank you, Mr. Speaker. Last Friday morning in Calgary the Minister of International and Intergovernmental Relations organized a session where the Alberta government briefed foreign diplomatic corps from all over the world about Alberta. These diplomats were very appreciative and pointed out that Alberta is the only jurisdiction that does such a briefing.

In the afternoon the diplomatic corps were invited to join the Alberta international business round-table discussion. This round-

table was organized by the Ministry of Economic Development, chaired by the Minister of Economic Development and co-chaired by myself and the hon. Member for Edmonton-Castle Downs. To this round-table we invited over 30 immigrants who are in business and have cultural connections in other countries. The idea is to include them and get them involved in international business development for Alberta. New Canadian citizens bring with them valuable hidden assets; that is, their personal connections in other countries. I believe that Alberta needs to capitalize on this networking asset in our global economic development and competition.

Thank you.

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

St. Albert Saints Hockey Team

Mrs. O'Neill: Thank you, Mr. Speaker. I rise to recognize all that the St. Albert Saints hockey team did for our community of St. Albert. The owners, organizers, supporters, volunteers, and players themselves have given us entertainment for our sporting fans, economic encouragement for our businesses and service industry, joy to the families who billeted out-of-town players, and, of course, pride and provincial sporting identity for all our citizens.

As the Member of this Legislative Assembly for the constituency of St. Albert I wish to express my personal thanks to our exciting St. Albert Saints and my sorrow in seeing the club leave my community. To the Saints, formerly known as the St. Albert Saints, you have been a great and exciting organization in our community. I wish you well in your new home facility in Spruce Grove. Thanks for the memories.

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

May Day

Mr. Mason: Thank you very much, Mr. Speaker. May 1 commemorates the historic struggle of working people throughout the world. The holiday began in the 1880s in the United States with the fight for an eight-hour workday. In 1884 the Federation of Organized Trades and Labour Unions passed a resolution stating that eight hours should constitute a legal day's work from and after May 1, 1886. During a strike to achieve this goal, police attacked workers from the McCormick harvester company, killing six. We must recognize and commemorate May Day not only for its historical significance but also as a time to organize around issues of vital importance to working people today.

On May 1 working people and their families marched down Whyte Avenue to celebrate May Day and to kick off the May Week Labour Arts Festival. This festival brings together the labour movement and artists to celebrate the contribution of workers to our economy, culture, and society.

I salute the labour movement in Alberta and its continuing efforts to win a better life for working people.

2:40

Irene Besse

Mr. Lord: Mr. Speaker, today I rise to recognize an outstanding Calgarian for spearheading a major fundraising drive for the Children's hospital in Calgary-Currie. It's just one of dozens of such projects for this incredible lady who has also just finished a \$4.6 million project to provide 90 new Steinway pianos to the University of Calgary.

Her name is Irene Besse. She is a household name in Calgary and even internationally, and in fact her name is in many households on pianos purchased from Irene Besse Keyboards, widely recognized as

the best equipped, organized, and designed business and performance facility of its kind in North America.

Winner of so many awards I can't even begin to list them all, she's an Alberta woman entrepreneur of the year lifetime achievement award winner, a Pinnacle winner, a woman of vision winner, was featured on the Women's Television Network. It just goes on and on. Sports organist for the Calgary Flames, the Cannons, the Stampeders, first organist in the world to provide live organ music at the Winter Olympics figure skating and hockey, she started the tradition which continues to this day.

I was fortunate, indeed, to work with Irene to bring back the carillon bells in downtown Calgary, Mr. Speaker, so I understand completely why she won the award for best in sheer positive energy at the SabreTEC best in business awards.

Congratulations, Irene, and keep up all that incredible work.

head: **Presenting Petitions**

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

Mr. Mason: Thank you, Mr. Speaker. I am presenting a petition signed by 120 Albertans petitioning the Legislative Assembly to "urge the Government of Alberta to return to a regulated electricity system, reduce power bills, and develop a program to assist Albertans in improving energy efficiency."

[The Speaker in the chair]

head: **Tabling Returns and Reports**

The Speaker: The hon. Member for Airdrie-Rocky View.

Ms Haley: Thank you very much, Mr. Speaker. On behalf of the Deputy Premier and Minister of Agriculture, Food and Rural Development I'd like to table Alberta Beef – Focus on the Future that she referenced in her answer today.

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

Dr. Pannu: Thank you, Mr. Speaker. I've got three tablings today. The first one is an ATCO/Direct Energy joint news release dated April 29, 2004, regarding their long-term contract.

The second tabling, Mr. Speaker, is a letter dated April 29, 2004, to the government by Colleen Smith of the triparish peace and justice ministry, written on behalf of over 14,000 parishioners, asking the government of Alberta to increase the minimum wage so that people working on it can make a living wage.

The third tabling, Mr. Speaker, is another letter, dated April 27, again addressed to the government, by Aline McMillan, chair, social justice ministry of St. Agnes, St. Anthony, and St. Thomas More Roman Catholic churches. This letter is written on behalf of, again, more than 14,000 parishioners who are asking the Premier and the government to recognize the dignity of work and raise the minimum wage.

Thank you, Mr. Speaker.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm rising to table a copy of the May Week Labour Arts Festival event calendar. From April 28 to May 9 Edmontonians will be taking part in film viewings, poetry readings, and other activities to celebrate the numerous contributions and sacrifices made every day by working people.

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

Ms Blakeman: Thank you, Mr. Speaker. I have two tablings today. The first is from constituent Colleen Babiuk-Ilkiw, outlining her mother's journey in trying to beat cancer, including her battle for a diagnosis and battle for treatment.

The second tabling is from a second constituent, Diane Oxenford, asking why the provincial government is ignoring the original historic site of Rosssdale flats and asking for consideration to improve the entrance to the capital city and the front garden of the Legislature, that being Queen Elizabeth Park Road, Walterdale bridge, the Terrace Building, and the Rosssdale industrial site.

Thank you.

head: **Tablings to the Clerk**

The Clerk: I wish to advise the House that the following document was deposited with the office of the Clerk on behalf of the hon. Mr. Mar, Minister of Health and Wellness: pursuant to the Public Health Act, Public Health Appeal Board annual report 2003.

head: **Statement by the Speaker**

Calendar of Special Events

The Speaker: Hon. members, now that we've arrived in the month of May, let me just advise of the following commemorative days and weeks that are available in the month of May. May is Cystic Fibrosis Month, Multiple Sclerosis Awareness Month, Medic-Alert Month, Huntington Disease Awareness Month, Hearing Awareness Month, Speech and Hearing Awareness Month, Motorcycle and Bicycle Safety Awareness Month, Asian Pacific Heritage Month, Red Shield Appeal Month, Child Find's Green Ribbon of Hope campaign, Light the Way Home campaign.

Now, various weeks or days within the month of May. April 1 to May 30 are Girl Guides sandwich cookie weeks. April 19 to May 19 is National Physiotherapy Month. May 1 to May 7 is National Summer Safety Week. May 2 to 8 is North American Occupational Safety and Health Week. May 2 to May 8 is Drinking Water Week. May 2 to May 8 is also National Forest Week, as it is the International Composting Awareness Week, as it is Emergency Preparedness Week. May 2 to May 11 is Information Technology Week.

Today, May 3, is World Press Freedom Day. May 3 to May 9 is Mental Health Week. May 3 to May 9 is National Hospice Palliative Care Week. May 3 to May 9 is Respect for Law Week. May 4, tomorrow, is World Asthma Day. May 7 to 9 are multiple sclerosis carnation campaign days. May 8 is the World Red Cross Day. May 8 is also the Non-Violence Optimist Day. May 8 to May 15 is Alberta Crime Prevention Week.

May 9 is Mother's Day. May 9 to May 15 is National Police Week. May 10 to May 16 is National Nursing Week, as it is also National Mining Week. May 12 is International Nurses Day. May 12 is also Canada Health Day. May 15 is International Day of Families.

May 16 to May 22 is National Immunization Week, as it is Intergenerational Week, as it is Emergency Medical Services Awareness Week, as it is National Dog Bite Prevention Week. May 17 is also World Telecommunication Day. International Museums Day is on May 18.

May 21 to May 27 is National Road Safety Week. May 22 to May 28 is Safe Boating Week. May 22 is Raise the Flag Day, as it also is International Day for Biological Diversity. May 24 is Victoria Day. May 25 is National Missing Children's Day. May 25 to May 28 is Aboriginal Awareness Week. May 25 to June 1 is Week of Solidarity with the Peoples of Non-Self-Governing Territories.

May 29 is schizophrenia Walk for Hope day. May 30 is World Partnership Walk day. May 30 to June 5 is Canadian Environment Week, as it also is National Access Awareness Week, as it also is National Sun Awareness Week. May 31 is the World No-Tobacco Day.

head: **Orders of the Day**

head: **Written Questions**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 29, it's now my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 29, or perhaps earlier, 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 40, 41, 42, 44 through 49, 52, 53, 55 through 62, 64, 66, 69 through 83, 88 through 105, 108 through 123, 128, 134 through 143, 146 through 160, 162, 164 through 168, 174 through 180, 183 through 189, 197, and 200 through 205.

[Motion carried]

The Clerk Assistant: Motion for a Return 40, Ms Carlson.

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

2:50

Ms Carlson: Thank you, Mr. Speaker.

The Speaker: Hon. Member for Edmonton-Ellerslie, there seems to be a malfunctioning going on at some of the desks. Would the hon. member mind moving to perhaps the place where the hon. Member for Edmonton-Glengarry is.

Mr. Smith: Come on over. Move to the right. One more.

Ms Carlson: Thank you, Mr. Speaker. No, this is far enough right for me. Thanks, fellas.

Business Credit Card Statements for Environment Department

M40. Ms Carlson moved that an order of the Assembly do issue for a return showing all monthly business credit card statements for the fiscal year 2002-2003 issued to the deputy minister, all assistant deputy ministers, executive directors, directors, branch heads, managers, and unit leaders for the Department of Environment.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I've already indicated previously but I'll indicate it again that there are likely going to be a number of similarly worded motions for returns which at this stage

are not required to be accepted, so we will be rejecting them because they have in fact been, for the most part at least, covered by MR 24 as amended, which in fact opened up all of the issues of business credit card statements for the year in question that were issued to deputy ministers, assistant deputy ministers, executive directors, and so on within the government of Alberta. So that will affect all ministries, and as such MR 40 is going to be rejected on that basis since it is perfunctory in nature at this stage.

The Speaker: The hon. Opposition House Leader.

Ms Blakeman: Well, thank you, Mr. Speaker. I disagree with the Government House Leader that it is perfunctory at this point. The reason that the opposition submits the same question for a number of different ministries is that history has taught us to do this.

In the past where we asked for aggregate amounts, we would get a response that did not allow us to do accurate comparisons ministry to ministry, for example, because we just weren't given information that allowed us to do that kind of comparison. So history taught us to put in a question for each ministry.

Despite having had Motion for a Return 24 passed, we are not getting the information that we sought. We are missing a level of detail that allows the Official Opposition to be accurate in what it does with that information. I've heard the members of the government complain in the past that, you know, we were unfairly extrapolating, that we were moving the numbers around unfairly, that we weren't giving an accurate portrayal of things, and frankly – what's the computer phrase? – garbage in, garbage out. If we're not given good information to begin with, it's very difficult for us to do a good job coming back out again.

We have requested the information from the Department of Environment because we would like to see that information. There are a couple of problems that we had with Motion for a Return 24, and they carry themselves forward into Motion for a Return 40. That is, we asked for the monthly business credit card statements, actually a copy of the statement. What we're going to be given is a retyping, a statement of credit card expenses, which is a difference.

There's been no explanation that we've received for why that difference is given, why the need to retype what's on those credit card statements. Is there something being omitted there? We don't know that, and that may cause us problems in the future when people say: well, you should have known. Well, how? We weren't given the original documentation, which is what we were seeking here.

The other change that happened here is it doesn't allow us to understand where we didn't get the same information from a department. So, for example, the Department of Environment submits, and they give information into the aggregate for the deputy minister but no assistant deputy ministers. Why? Well, they didn't have credit card expenses. But we're not given that information in the aggregate, so we now will be doing inaccurate comparisons, or we could be put in that position. We're not given the detail when it comes through that tells us that we didn't get exactly the same format, a grid if you will, from all departments.

I would urge, even given Motion for a Return 24, that the members of the House understand the difference in the level of detail that the Official Opposition has asked for and what is now being given in, sort of, much vaguer terms, the information diffused out and the detail removed. I would urge all members of the House to vote in favour of Motion for a Return 40.

Thank you.

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

Ms Carlson: Yes. Thank you, Mr. Speaker. I listened to what the deputy House leader had to say last week about Motion for a Return 24 and all the information that went on and then the subsequent denial of information that we had requested. I specifically wanted the information in detail from the particular departments that I'm asking for, and I am not satisfied that it has been denied.

I also would urge all members to vote for the information requested.

[Motion for a Return 40 lost]

Business Credit Card Statements for Economic Development Department

M41. Ms Carlson moved that an order of the Assembly do issue for a return showing all monthly business credit card statements for the fiscal year 2002-2003 issued to the deputy minister, all assistant deputy ministers, executive directors, directors, branch heads, managers, and unit leaders for the Department of Economic Development.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. With respect to Motion for a Return 41 I'm going to indicate on behalf of the Minister of Economic Development that here again, given the MR 24 amendment, MR 41 now becomes redundant, so we will be rejecting MR 41. But in doing that, as I indicated in the previous discussion on MR 40, which I did on behalf of the hon. Minister of Environment, I want to make a couple of comments just briefly, if I could, to address some of the concerns that have just been expressed.

I believe the Opposition House Leader indicated something about: all they're going to get is a retyped version or whatever. In fact, according to MR 24 as amended, they will be receiving "a statement of all credit card expenses . . . incurred by" and the amendment goes on. So that should provide the information that I hope they are looking for, and it will provide it in a consistent, similar sort of grid basis. At least that's my understanding, and that's what we've asked for to be done.

The only thing wrong with trying to provide copies of the actual credit card statements as requested in the original motions – and there are many of them here – is that, of course, you'd have to provide the credit card numbers and specific names and so on. I think what the members opposite are more interested in are probably the amounts and what the categories are, and that's what MR 24 as amended attempts to incorporate and address.

I hope that that will not lead to any inaccurate conclusions on the part of the opposition as the Opposition House Leader indicated. I hope that it in fact helps out somehow.

On that basis, again, Mr. Speaker, Motion for a Return 41 has its explanation, really, contained in the amendment for Motion for a Return 24. Therefore, I am suggesting on behalf of the Minister of Economic Development that we reject MR 41.

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

Ms Blakeman: Thank you. Speaking to MR 41, there are some additional points that I'd like to raise around the reference back to Motion for a Return 24.

The minister and I met and had long discussions, and the result of that was an agreement on one motion for a return, and that was 23. I gave a number of reasons and concerns in that meeting about why we wanted the level of detail that we were asking for.

3:00

Here's another example, Mr. Speaker. From the original motion

to the amended Motion for a Return 24, it changed "issued to" – credit card statements issued to certain individuals – to "incurred by," and there's a difference there. The difference is that they would only be providing the information from these credit card statements that was incurred by the individual whose name the card was in. So if we had expenses that were incurred by someone else but paid for on that credit card, we would not be getting the information that's there.

I believe that that was the reason for the change in the wording, to make sure that we didn't get that information or that it was excluded from what was being offered to us. That's why I objected to it at the time, and it's why I continue to object to it: because once again we will not understand, where we've been given equivalent information between departments, whether we got every deputy minister, every ADM and we can cross-reference between them. No, we are not able to do that.

In addition, we had asked for monthly credit card statements. We were looking for the tracking around the times of year: were expenditures higher in certain times, lower in certain times, connected to certain events that happened throughout the year, connected to travel, before or after? That was why we were asking for it on a monthly basis. Now, the amended motion is simply giving us a statement of all credit card expenses for the fiscal year. So we've lost that monthly breakdown. We've lost the ability to compare between times of year, between events, that sort of thing. So again there's a level of detail that we have requested that we are not getting, and we also cannot tell who contributed information in what category and who didn't.

Now, I've heard the Deputy Government House Leader say that, well, we're going to get it on a grid. If that's true, then that will be helpful. If we're able to see specifically where we did not get information in a consistent way from every department, then that's helpful to us.

I know as well that particularly on these ones where we were asking for the credit card statements themselves that are government credit card statements, we're not asking for these people's personal credit card statements. Let's be, you know, absolutely careful about that. What we're asking for are those credit cards that are issued to them to be used in the course of their duties as a government employee. So all expenses on there, one presumes, should be incurred as a result of their duties.

I know that there was some concern expressed that, well, they didn't want to be hung out to dry on the famous orange juice problem. My point is that that's the argument for detail, because the confusion around the – whatever it was – \$27 glass of orange juice was in fact \$27 for three jugs of orange juice. But the second bit of detail didn't come with the first bit of detail, and that's how mistakes are made, Mr. Speaker. That's why we're asking for the level of detail that we're asking for, so that we don't make those kinds of mistakes, so that we don't subject anyone to unnecessary embarrassment or unnecessary scrutiny. The scrutiny that resulted from that orange juice, that \$27 orange juice, has lasted for months.

If you want to avoid that kind of scrutiny, give the information, complete details, up front, and there isn't a problem. As soon as people think that there's something being hidden, they're going to start to dig. Right now there's the Sierra Madre waiting over there, and that's why there's been such interest evoked in the community and from Albertans and from the media around these expenses.

So I urge all members to vote in favour of Motion for a Return 41 for the reasons I've stated.

Thank you.

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

Ms Carlson: Thank you, Mr. Speaker. I, too, would like people to vote in favour of this particular motion. It's for the Department of Economic Development, and that is somewhat distinct from other departments because this is really the marketing arm of the government. The way to benchmark and monitor their success or lack thereof is very much through this kind of expense reporting. For us to get an aggregate as is outlined in Motion for a Return 24 is not nearly as helpful as getting the detail requested in the original motion, particularly for this department.

Once again this is a case of the government having said, "Ask for it this way, and you shall receive," and then finding a way to deny access to the information.

With this particular motion, I would urge all members to vote for it.

[Motion for a Return 41 lost]

Business Credit Card Statements for Sustainable Resource Development Department

M42. Ms Carlson moved that an order of the Assembly do issue for a return showing all monthly business credit card statements for the fiscal year 2002-2003 issued to the deputy minister and all assistant deputy ministers for the Department of Sustainable Resource Development.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwodzesky: Thank you, Mr. Speaker. Again, with Motion for a Return 42 this one also needs to be rejected because effectively it is covered, for the most part at least, under Motion 24 as amended.

In stating that, I just want to comment briefly with respect to some of the comments we've just heard from members opposite. It's true that the Opposition House Leader and I did meet for about an hour and a half or an hour and 40 minutes a couple of weeks back. I will be making a correction to something I indicated on page 1030 when we get to motions for returns that are affected by the amended Motion 34.

In any event, during that meeting we did have a very frank and very open discussion, and I thought that some progress had been made. I think that I had indicated and I will indicate again that all of these expenses and so on, regardless of whom they are incurred by, are very carefully and thoroughly reviewed not only by internal processes but also by the Auditor General. I always assumed that opposition members were interested in getting their hands on what the actual expenses were in the various areas, and that's what MR 24 as amended should be able to provide.

There may also be other processes and procedures that any member of the House might wish to pursue should they want additional information thereafter. Nonetheless, that is the process, and that process does respect the Freedom of Information and Protection of Privacy Act, which I know members here are very familiar with.

I should just point out, Mr. Speaker, that in fact government always has the option to accept an MR or to reject an MR or to accept it as amended. In every case those decisions, I know, are arrived at after considerable consideration to try and provide all the information as requested. It's just that from time to time when you see the constant repetition with all 23 or 24 Executive Council departments, you can amalgamate the information in a presentable way that allows whatever we're able to flow out and save the House a considerable amount of time by not having to go through a debate such as we're going through now on each one individually.

That having been said, I'm well aware that the members opposite

are not asking for personal, residential if you will, credit cards from the deputy ministers and so on that are cited in this particular MR 42, but the fact is that personal names do appear on these statements and so do personal account numbers on behalf of government. That was the point I was trying to make earlier.

The two final comments I would make are again with respect to the jugs of orange juice. I don't know. I suppose you could be here for a whole year trying to provide all of that level of scrutiny, because you'd be getting into who drank a whole glass and who drank half a glass and how many pots of coffee were ordered. I mean, it just gets a little bit silly after a while, I think people would agree.

The point is to provide as accurate and as comprehensive information as possible, and that's what this amended Motion 24 is going to do. It applies also in this case to Motion for a Return 42. Therefore, there's no need for us to accept 42.

To the final speaker from the opposition: it doesn't matter, hon. member, you know, whether it's Economic Development or any other ministry. We try to apply the same standards right across the board.

So we'll be looking to reject MR 42.

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

Ms Blakeman: Thank you for the opportunity to join the debate on this. I think that it's important that it be understood that we're not questioning the integrity of employees here. We're not interested in that, and I don't think that it should be cast in that light. We actually did not ask for names. We asked for positions. Since we didn't ask for the names or the credit card numbers, I still don't see why the statements can't be taken, block out the number, block out the name, write on it "deputy minister" or "unit leader" or whatever they are, and provide it. That's what we asked for. It's giving us a level of detail that we think would have been helpful. The government has committed itself to significantly more work than it needed to had it just done what we'd asked for. They're now retyping it.

3:10

Secondly, we'd asked for monthly statements; we're getting a statement by the year. Again we lose the opportunity to watch for an ebb and flow of expenses and to connect them to particular events across the year. Once again, it was changed from credit cards "issued to" certain positions to expenses "incurred by" certain positions. Very different from what we're talking about. Again, it excludes expenses that were in fact on a credit card not specifically incurred by the individual whose name it is. So there's missing information there. I think that the argument is that whenever we are spending taxpayers' money, Albertans should be able to review that expenditure of money. We very clearly were looking for personal and travel expenses.

Around what the Deputy Government House Leader calls the constant repetition, the fact of the matter is, Mr. Speaker, that those motions that were put forward were ruled out of order because the government has substantially changed the information that we were looking for. It does not expressly deal with the detail that was requested. Giving general statements in aggregate does not satisfy the intent of the original.

We would have been very happy if the government had given us exactly what we'd asked for. We would have been happy to group all ministries together at that point. But they were not willing to do that, and they altered what we were asking for – and I've given you some detail of how it was altered – and then tried to group it all together. That, in fact, was ruled out of order by Parliamentary

Counsel. I mean, to try and put it out there that somehow the opposition was not willing to group these – in fact, we were very willing to group them if we got the information that we requested. We're not willing to wipe these off the books when we didn't get the information that we requested.

When the Deputy Government House Leader is talking about accurate and comprehensive information and isn't that what we want: yes, and we asked for a certain level of detail, and that's what we'll continue to pursue.

So for those reasons among others already stated, I would ask for support for Motion for a Return 42. Thank you.

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

Ms Carlson: Thank you, Mr. Speaker. The Deputy Government House Leader talked about constant repetition. Since these motions have been introduced and I've been standing up to ask for the information for the departments that I'm responsible for as the critic, what I have heard is the constant deniability of this government to be open and transparent in any remarkable sense. We have heard constantly the Deputy Government House Leader hiding behind the freedom of information act. That act was never designed to hide behind. It was designed to afford information to the people of the province in terms of how their government was being run and how they were spending their money.

When he talked about these statements coming forward with personal names and personal account numbers, well, really, Mr. Speaker, we know how well their whiteout pen works on anything else that they give us, and we would hope that the smallest amount of work involved in processing this is to white out those personal factors rather than completely aggregate and retype them. How much time is the government wasting by doing that?

I have to say that this is the end of the ministries that I'm asking for how they spent their money. I think that that's a justifiable request. I think that it's one that is laughable in the reasons that we have seen the government come forward with in terms of denying access.

I would ask all members to please support this motion for a return.

[Motion for a Return 42 lost]

East Central Health Authority

M44. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the East Central health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. I am compelled to reject Motion for a Return 44. The reason is that in the year 2002-2003 we had 17 health regions, not nine. Therefore, I cannot provide the requested information for the restructured East Central health authority for the 2002-2003 fiscal year, nor can I provide information broken down by contractor as requested. The ministry does not require information to be reported by contractor, so these data are not included in the financial statements.

However, Mr. Speaker, this fall after the financial statements for the nine health regions are audited, I will be able to provide the total dollars spent on information technology services by each of these regions.

This will be the basis for my rejection of a number of the motions for returns to follow subsequently, Mr. Speaker. Thank you.

The Speaker: The hon. Member for Edmonton-Mill Woods to conclude the debate?

[Motion for a Return 44 lost]

Acute Care Beds

M45. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing a breakdown of the number of acute care beds per 1,000 people for each regional health authority.

Mr. Mar: Mr. Speaker, the government is prepared to accept Motion for a Return 45.

The Speaker: The hon. Member for Edmonton-Mill Woods to conclude the debate.

Dr. Massey: Yes. I'd like to thank the minister for supplying that information, Mr. Speaker.

[Motion for a Return 45 carried]

Public Affairs Bureau

M46. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total number of staff in the Public Affairs Bureau broken down by job title, job description, salary, and bonus range for each position.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. With respect to Motion for a Return 46 I would refer members of the House back to MR 34 as amended, wherein the original Motion for a Return 34 cited virtually the same type of information pertaining to salary and bonus ranges and so on specific to the Department of Energy. We thought it would speed the process up here in the House if we were to bring in an amendment to MR 34 and then just reference it as we go through other similarly related motions for returns, such as we're doing starting now with Motion for a Return 46.

In any case, the amended Motion 34 simply opened up the bonus question to apply to employees within the government of Alberta listed by department for the fiscal year in question, and it goes on. So in this case, Mr. Speaker, Motion for a Return 46, again, finds itself redundant in the light and background of amended Motion for a Return 34. Therefore, we can in fact reject Motion for a Return 46 because that information, by and large, will be provided for under MR 34 as amended.

That having been said, I would just like to indicate, Mr. Speaker, that the salary ranges for the Alberta public service are available on the personnel administration office web site, I'm told. The breakdown of performance bonuses, as I indicated, will be provided under the amended Motion for a Return 34 to augment that.

So, on that basis, we're able to reject MR 46, before us now.

3:20

The Speaker: The hon. Opposition House Leader.

Ms Blakeman: Thank you very much. Speaking to MR 46, I noticed that the Deputy Government House Leader referenced Motion for a Return 34, and during the discussion of Motion for a

Return 34 on April 26, as recorded in *Hansard* on page 1030, I think that the Deputy Government House Leader hornswoogled us, Mr. Speaker. Yes, indeed, he did. He put it out that in fact I had agreed to this amendment, and I most definitely had not.

What we have here are a number of differences in the way the amendment comes out.

Let me start out by saying that, once again, if the government wanted to speed up this process, they could have done it like the autobahn if they had been willing to provide the information that was requested without amending it and diffusing the information that was being provided and then trying to have all similar motions grouped together. If they had been willing to provide the information, we would have happily grouped things, and we would have been out of here weeks ago.

But the government's insistence on changing the information that's being given and controlling the information and, as I have shown already, Mr. Speaker, diluting the information being provided and in some cases completely cutting out information that has been requested has now resulted in the process before us. So, as usual, complete control in the hands of the government, and this is the way they have chosen to go at this.

What are the changes that are problematic in Motion for a Return 34 which end up being reflected in Motion for a Return 46? Well, first of all, we asked for the amount of each bonus, not an aggregate amount of all bonuses awarded to all employees. We asked for the amount of each bonus, and we asked for it for senior officials, for each position, not all employees in a department. Again, I'll point out that we're not asking for people's names. We don't want that. We're not interested in people's names; we're interested in the position. Staff change; people come and go. We're interested in what the position is being offered a bonus for.

Now, another thing was changed here. We were asking for the position and the amount paid to each official and the number of employees who received a bonus within that range. What we get is a range of bonus dollar amounts. Well, that's not the exact amount. That's certainly not what we asked for. So what we're likely to get from this is rather than a listing of all of the senior officials and the bonuses that were given to them in a given year is a range which says, "Well, between" – and I'm guessing here – "\$8,000 and \$15,000 in this fiscal year." And how many people got it? Three hundred. Well, that gives us very little useful information. The level of detail that we were seeking has simply been erased from our request here.

It does not clarify. It in fact creates confusion. I'm beginning to think that the government is deliberately creating this confusion. Over and over and over again the same arguments are presented which diffuse the amount of information that is being provided to the opposition and to all Albertans.

So I think that having that clarified, all members of the Assembly would want to support MR 46, particularly because it's around the Public Affairs Bureau, which is of intense interest to many Albertans these days, and support the information requested under MR 46.

Thank you.

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

Dr. Massey: Yes. I think it's abundantly clear, Mr. Speaker, that what is being done is that the information that's being requested is being masked, and it really is going to be produced in a form that is of little use, and I think that that's unfortunate.

Thank you.

[Motion for a Return 46 lost]

Aspen Regional Health Authority

M47. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Aspen regional health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. I am compelled to reject this motion for a return, being Motion 47, for the same reasons outlined earlier in responding to Motion for a Return 44.

[Motion for a Return 47 lost]

Capital Health Authority

M48. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Capital health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. With respect to Motion for a Return 48 I am again forced to reject this motion for the same reasons outlined in my response to Motion for a Return 44.

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

Ms Blakeman: Thank you. I'd just like to argue with the minister a bit there because my understanding is that there were no changes in the Capital health authority, and the earlier reasoning that the minister gave for not providing the information was that he'd not collected it in the form in which we were asking for it. He was saying that we were now down to nine and that we were asking for the old version of 17 or whichever way round that goes. My understanding is that there were no changes to the boundaries of the Capital health authority, so that should not stand.

I would argue that this motion for a return should in fact be accepted, particularly in light of the minister's argument, which in fact supports the acceptance of this motion for a return.

Thank you.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Mr. Speaker, there in fact were changes to . . .

The Speaker: I think, hon. Minister of Health and Wellness, that I was out of order there. I should have recognized the hon. Minister of Justice and Attorney General. Did you rise too?

Mr. Hancock: Not if he's going to be able to rise. I just thought that he couldn't.

The Speaker: No, he's unfortunately not able to rise.

Mr. Hancock: The only reason I was rising, Mr. Speaker, was because I thought that the hon. Minister of Health and Wellness was not able to any longer.

I was going to make the same point, that there were significant

changes to the boundaries of the Capital health authority, including moving all of the area west of the city including Stony Plain and other areas into the Capital health authority. So the same reasons that were given by the minister earlier are still extant with respect to this motion.

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

[Motion for a Return 48 lost]

Anglo-Canadian Clinics

M49. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing any and all contracts and memoranda of understanding between the Calgary health region and Anglo-Canadian Clinics regarding the transfer of any doctors, nurses, licensed practical nurses, technicians, or any other employees of the Calgary health region to the United Kingdom.

Mr. Mar: The government will accept Motion for a Return 49.

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

Dr. Massey: Just again to thank the minister for the information. Thank you, Mr. Speaker.

[Motion for a Return 49 carried]

3:30

Executive Council IT Contracts

M52. Ms Carlson moved that an order of the Assembly do issue for a return showing the current information technology services contract tendering policy and process for the Executive Council.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwodzesky: Thank you, Mr. Speaker. On Motion for a Return 52 I think we need to refer back to Motion for a Return 16 as amended. We'll probably notice there that one specific department had been cited for providing this information. I believe it was the Department of Aboriginal Affairs and Northern Development. Motion for a Return 16 was amended to withdraw specific reference to one ministry, and it was amended to open it up to all ministers and departments in the government of Alberta regarding the provision of current information technology services contract tendering policy, process, et cetera.

Motion for a Return 52 can be rejected on the basis that MR 16 as amended will provide precisely the information that's being asked for in MR 52. So MR 52 becomes totally redundant and not necessary since it's accommodated effectively under MR16 as amended.

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

Ms Blakeman: Thank you. I believe, Mr. Speaker, that this may be an example of where other similar ministries could have in fact been grouped in as long as the information is exactly the same. MR 52 reads: "the current information technology services contract tendering policy and process for the Executive Council." MR 16 is: "the current information technology services contract tendering policy and process for ministers and departments in the government of Alberta."

I think, in fact, that if this would have provided each and every

ministry, then we probably could've grouped all of these and gone on, in which case I wonder why the minister didn't ask for the grouping, but if it's meant to come out that we would just get one policy for everybody across, then it's not the same thing at all. Otherwise, we certainly would've been willing to consider grouping.

Thanks very much.

[Motion for a Return 52 lost]

Electronic Health Records

M53. Ms Blakeman moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total costs associated with the establishment of electronic health records for each regional health authority broken down by costs associated with implementation, dissemination of information, equipment costs, and conversion of hard-copy records to electronic format.

Ms Blakeman: This is following with a particular theme brought forward by my colleague on a number of occasions. We have a concern that what's happening around access to information and electronic health information records may in fact be walking us into a huge outlay of money. We wish to start examining whether in fact that may be the case, and that's why we've asked for this particular information, and I hope that we're successful in encouraging the minister to provide it.

I encourage all members of the Assembly to vote in support of MR 53. Thank you.

Mr. Mar: Mr. Speaker, the government will be rejecting Motion for a Return 53. The information requested is not broken down in the manner in which it is requested.

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

Ms Blakeman: Thank you. I regret that that's not available in the way that we've asked for it. If this information does come up again or even if it doesn't, perhaps the minister would be so kind as to provide us with some helpful hints on how the information is available so that we could request it in the proper format the next time out.

Thank you.

[Motion for a Return 53 lost]

Palliser Regional Health Authority IT Contracts

M55. Ms Blakeman moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Palliser health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. The government will be rejecting Motion for a Return 55 for the same reasons set out in my response to Motion for a Return 44.

[Motion for a Return 55 lost]

**Department of Aboriginal Affairs
and Northern Development IT Contracts**

M56. Ms Blakeman moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Aboriginal Affairs and Northern Development on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I'm pleased to rise on behalf of the Minister of Aboriginal Affairs and Northern Development. The motion before us, MR 56, is again one where we can refer back to a previously amended motion, and that would be Motion for a Return 10, which, in fact, when it was debated – and as I recall, it was quite a lengthy debate. It was determined then that the intent of the motion here before us today was actually reflected back when Motion for a Return 10 was discussed.

Motion for a Return 10, incidentally, dealt specifically with one ministry only – as I recall, it was the Ministry of Health and Wellness – where specific information was requested regarding contracts for information technology services, and the provision of a listing of vendors was also requested for a specific fiscal year. Here before us is Motion for a Return 56, and it does exactly the same thing except that in this case it refers to the Ministry of Aboriginal Affairs and Northern Development.

[The Deputy Speaker in the chair]

So what we did when we accepted Motion for a Return 10 is we simply withdrew the reference to one specific ministry, and we reworded MR 10 to the following.

That an order of the Assembly do issue for a return showing the total dollar amount spent by the government of Alberta on contracts for information technology services and a listing of vendors providing these services for the 2002-2003 fiscal year.

That having been said, Mr. Speaker, Motion for a Return 56 can and should fall away because effectively it is covered by Motion for a Return 10 as amended, which will provide all the information about contracts for IT services as well as a list of the vendors who provided them for the year in question. As such, Motion for a Return 56 is redundant and not necessary, and the government is prepared to reject MR 56 on that basis.

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

Ms Blakeman: Thank you. I very much disagree with the Deputy Government House Leader that this motion is redundant and that the intent is reflected here. In fact, it's not reflected here at all, and this, in fact, was the motion upon which all others floundered and foundered, depending on whether you're a sailor or not, because the intent of the information was altered so dramatically from what was requested to what's being delivered. So this is not redundant, and the intent has not been addressed.

What we asked for was the total amount of contracts on information technology services broken down by company and the total dollars of the contract. What we get is the total amount spent on the contracts and a listing of vendors. Those two things are so far away from being the same thing that they might as well be summer and winter; they are so far apart.

So this motion is not redundant. Contrary to what the Deputy Government House Leader would like people to believe, it simply is not the case.

3:40

Again, the Official Opposition is seeking detail for a reason, so that we can make better decisions and do better work. When the government provides us with information that is vague, it's diffused, it's diluted, it's masked, or it's simply omitted – and we don't know that it was omitted, so we can't do a reasonable comparison – they just cause problems for themselves. They do create things like the \$27 glass of orange juice, which none of us want to see and none of us enjoyed.

So if you want to see accurate information, give accurate information, but don't try and diffuse it as in what's being done here with this referral back to Motion for a Return 10. I would urge all members to support . . .

An Hon. Member: What motion are we talking about?

Ms Blakeman: Motion for a Return 56, please. Thank you.

[Motion for a Return 56 lost]

Peace Country Health Authority IT Contracts

M57. Ms Blakeman moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Peace Country health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. The government is rejecting Motion for a Return 57 for the reasons outlined in my response to Motion for a Return 44.

[Motion for a Return 57 lost]

Single Trial Court

M58. Ms Blakeman moved that an order of the Assembly do issue for a return showing all reports or documents dealing with the consultation process with Albertans over the creation of a single trial court.

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I'm proposing to move an amendment to Motion for a Return 58. I believe the amendment has been circulated. That amendment would amend Motion for a Return 58 by adding "public" before "reports" and striking out "documents" and substituting "consultation papers" so that the motion for a return would read as follows.

That an order of the Assembly do issue for a return showing all public reports and consultation papers dealing with the consultation process with Albertans over the creation of a single trial court.

Quite frankly, I anticipate the hon. member opposite saying, "By making that amendment, it means that we won't be getting the stuff we want to get" and all that sort of stuff. I don't really care whether they reject the motion or accept the amended motion. I can tell the hon. member that I'm quite happy to give her all the information that I can give her about the consultation process with the single trial court. There is nothing secret about it; it is a public consultation process. But the way the motion is worded in terms of "all reports or documents" might put me into conflict with the Freedom of Information and Protection of Privacy Act with respect to the release

of certain documents where there might be a privacy concern because it's written by a particular member of the public that hasn't given permission and all those sorts of things.

In proposing the amendment, what I'm trying to do, Mr. Speaker, is to accommodate the desire of the member opposite to have access to all the documents relative to the single trial court consultation. I'm happy to meet with her at any time to talk about one of my favourite topics, to give her whatever information I can give her. In fact, I have some information ready to send to her about the consultation documents, et cetera. It's just that the nature of the wording of the motion for a return that's on the table could put me in a position where I could get into difficulty with the law, and I wouldn't want to do that.

Ms Blakeman: No. I would imagine that as Attorney General you wouldn't want to put yourself in a position of conflict with the law.

It does seem a little odd to be agreeing to give me any public record. Well, yes, because they're public, I could probably get them from somewhere else. But I understand what the minister is saying, and in good faith I'm believing him when he tells me that he's going to give me everything he can possibly give me.

Given his remarks, I would add that if he feels that there's something that given the wording of this particular amendment he can't accommodate that he has available and would be willing to share with me, then would he please indicate that in some form of written communication with me? I will find a way to request it some other way.

I also understand that there is an interim report at this point, which perhaps is not public. Maybe that's one of the documents that I could get access to if it's not already a public document. I believe at this point – and I have no reason to believe otherwise – that the minister is acting in good faith in trying to give me the information that I'm seeking at a level of detail that I'm seeking.

I will support the amendment as proposed by the minister. Thank you.

[Motion for a Return 58 as amended carried]

David Thompson Regional Health Authority IT Contracts

M59. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the David Thompson regional health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you, Mr. Speaker. Speaking to Motion for a Return 59, I am forced to reject this motion for the same reasons outlined earlier in my response to Motion for a Return 44.

[Motion for a Return 59 lost]

Department of Human Resources and Employment IT Contracts

M60. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total amount spent by the Ministry of Human Resources and Employment on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. This is again another case where one particular ministry is cited. In this case, it's the Ministry of Human Resources and Employment, but in fact the essence of this particular MR does go back to the very first one in the series, so to speak, which was Motion for a Return 10, and that one specifically dealt with the Ministry of Health and Wellness. When we were debating Motion for a Return 10, we did approve an amendment that simply withdrew the reference to one specific ministry and in its place substituted the entire government of Alberta.

Information regarding technology services and a listing of all the vendors and so on will be provided under Motion for a Return 10 as amended. Therefore, Motion for a Return 60 is redundant in that regard. So we are able to reject Motion for a Return 60 on that basis.

Thank you.

[Motion for a Return 60 lost]

3:50 Department of Government Services IT Contracts

M61. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Government Services on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

Dr. Massey: I think it's clear, Mr. Speaker, that the intent is to have information about each of the departments and not have it masked by being amalgamated. So I don't think we can call this redundant with the motion the government has proposed. What they had passed is something quite different from what the Official Opposition has requested.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Again, here we have one specific ministry being asked to provide information. It's the Ministry of Government Services in this case. The motion before dealt with the Ministry of Human Resources and Employment. We'll go back again to the amendment that was proposed for Motion for a Return 10, which was the Ministry of Health and Wellness, and in fact the bulk of the information, I'm sure, requested here under MR 61 will be provided for and dealt with under the amended Motion for a Return 10. So for the same reasons as I just enunciated regarding MR 60, we are able to reject MR 61 on the same basis.

Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Mill Woods to conclude debate.

Dr. Massey: Thank you. I think that's unfortunate. The information that we're asking for won't be provided should this motion fail, Mr. Speaker.

[Motion for a Return 61 lost]

Department of Energy IT Contracts

M62. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Energy on contracts

for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Once again the motion for a return that's before us now cites one particular ministry – in this case, it's the Ministry of Energy – and it ties back directly to Motion for a Return 10, which as amended will provide the information regarding contracts for information technology services, and it will provide a listing of vendors who provide those services for the year in question.

So on the basis of what I've indicated regarding MR 60 and 61 and now 62 and previously MR 10 as amended, we are able to reject MR 62.

Thank you.

Dr. Massey: Again, that rejection, Mr. Speaker, is denying the opposition the information that we've asked for.

[Motion for a Return 62 lost]

Calgary Regional Health Authority IT Contracts

M64. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Calgary health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Minister of Health and Wellness.

Mr. Mar: Thank you very much, Mr. Speaker. I'm forced to reject Motion for a Return 64 for the reasons outlined in my earlier response to Motion for a Return 44.

The Deputy Speaker: The hon. Member for Edmonton-Mill Woods to conclude debate.

Dr. Massey: Thank you, Mr. Speaker. I can understand the reasons the minister has given, that there have been changes in the authorities and in the reporting procedure. I'm not sure that there isn't another way to get that information, but I thank him for his response.

[Motion for a Return 64 lost]

Department of Human Resources and Employment Bonuses

M66. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total amount of each bonus and aggregate amount of all bonuses awarded to senior officials within the Ministry and Department of Human Resources and Employment over the 2002-2003 fiscal year broken down by the position of and amount paid to each official.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. You know, back when we were discussing Motion for a Return 46, I had intended, as I had indicated and telegraphed a little earlier, that I wanted to make a comment regarding the lead, so to speak, motion that had been

introduced back on April 26 regarding the issue of bonuses and so on because during the discussion on MR 34, which in a moment I'll tie in with MR 46, the Member for Edmonton-Mill Woods had in fact gotten up to speak right after me and had indicated that he hadn't "been in contact with the House leader for the opposition" and so on. So he was wondering essentially whether or not the Opposition House Leader had actually agreed to amendment 34. I, in the spirit of the moment, had indicated "agreed with reluctance," and of course that is not the case.

In fact, the agreement that emanated at the end of an hour and forty minute discussion between me and the hon. Member for Edmonton-Centre was really quite specific to certain motions and concerns that were expressed, something between motions 19 and 23. It was on those that she agreed with reluctance to that particular agreement.

But we did talk about a number of other things that we hoped would help speed up the process but at the same time allow for the provision of as much information as possibly could be provided regarding a number of written questions and motions for returns and at the same time would alleviate the House of burdensome paperwork regarding each one and at the same time – I'm talking about the MR amendments or the written question amendments – would also help speed things up so that we could move on to the important private member's bills, which I hope we will be able to do at some point again later today as we have done on two previous Mondays.

So I do apologize to the Member for Edmonton-Centre for that and also to the Member for Edmonton-Mill Woods. It was not my intention to – I forget the word she used: hornswoggle or something. That was certainly not the case, and I would like to correct the record in that regard.

That having been said, Mr. Speaker, Motion 34 as amended certainly does apply here to Motion for a Return 66. I think I have already indicated previously that under MR 34 as amended we will be providing a breakdown regarding bonuses awarded to government employees listed by department for the fiscal year in question and broken down by the range of bonus dollar amounts and so on.

So on that basis, MR 66 can be rejected since MR 34 as amended, I think, captures the spirit of what is being requested.

Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Centre on Motion for a Return 66.

4:00

Ms Blakeman: We're in an interesting tug-of-war here. The government very much wants to control the information, hold back the information that they're releasing, and of course the opposition is seeking all the information that they can possibly get.

You know, I'm a fan of mysteries, Mr. Speaker, and I'm much reminded of the little Belgian detective with the impressive little grey cells. He always gently explains to people that, you know: you can't withhold the information from me; give me all the information, and I'll sort out the stuff that I don't need from it and be able to take what it is that I'm really seeking. When people try and, for whatever their personal reasons are, hold back the information and only sort of dole out a little bit at a time, that's when great confusion and terrible dramas and heaving bodices and fainting gentlemen and all kinds of things pursue from the mystery.

If I'm allowed to bring that analogy in, Mr. Speaker, I think that part of what we have going here this afternoon is the opposition's seeking of the complete details from which we can then see a story, and we will happily not use the information that is not useful for us. For example, I earlier talked about, you know, we wouldn't be interested in what the actual credit card number is – you're free to block it out or black it out or white it out or whatever colour the

government wants to use there – and the personal names. We were interested in the positions and exactly what came out on the statement at that level of detail. That's the position that we're facing again here with 66 and the reference back to the bonuses, which refers back to Motion for a Return 34.

Again, we're asking for: what bonus did each position get? What we're being offered is a range of bonuses, a total amount of bonuses granted by a department, and then the total number of employees that get it. So we're not getting the positions that are getting the bonus. We're not getting the detail of what position got what amount of money and in what department. So once again we can't compare across the board between deputy minister and deputy minister and ADM and ADM and executive director and executive director. We can't.

We've been given information in a way that is deliberately, I'm assuming, being diffused and diluted and masked so that we can't figure that out. That just causes people to go: "Well, then, why? Why are they not giving us the information?" People's minds go: what are they hiding? I encourage the government to help themselves by giving the information, and that would stop the great curiosity about: what's being held back? What's being set aside? Why aren't they willing to give this information?

So I encourage people to vote in favour of Motion for a Return 66. Thank you.

[Motion for a Return 66 lost]

Department of Government Services Bonuses

M69. Dr. Massey moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing the total amount of each bonus and aggregate amount of all bonuses awarded to senior officials within the Ministry and Department of Government Services over the 2002-2003 fiscal year broken down by the position of and amount paid to each official.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I rise to address Motion for a Return 69. We will be rejecting this one because the essence of it is contained in Motion for a Return 34 as amended back on April 26.

I just want to make a comment. I know there's been a lot of discussion and comments made regarding: "Why don't you just give us the actual credit card statement and so on? Just block out what you don't want us to have." We've been down this road before, Mr. Speaker. Whenever you try to provide information and you have to block certain things out, you can't win on that one. Then you get accused of blocking stuff out. Members opposite or whoever's asking for that information complain that you're blocking out information without telling them what you're blocking out, so what's the point in providing that stuff if you're going to be blocking it out anyway? It's one of those arguments that you just can't really win no matter what you try to do.

On the basis of the fact that MR 34 as amended will provide information regarding bonuses listed by department for the fiscal year in question, we are able to reject Motion for a Return 69 as being redundant in that regard. Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Mill Woods to conclude debate.

Dr. Massey: Thank you, Mr. Speaker. I find that unfortunate for a

couple of reasons. One, I hear comments about: why do you want the information? That quite astounds me. We're the Official Opposition. It's our job to seek information and to monitor government spending, and that's exactly what these motions for returns are about.

As to the level of detail it's no different than what the minister asked for when he was on this side of the House. So I find the arguments that are being used quite astounding. It's unfortunate that this is rejected.

[Motion for a Return 69 lost]

Department of Seniors IT Contracts

M70. Ms Blakeman moved that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Seniors on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

Ms Blakeman: What we're seeking here is information on a level of detail that tells us: what was the amount of money spent on information technology services? How much was allocated or how much was contracted with for each company? What was the company? How much money did they get? Next company: how much money did they get? At the bottom, the total line, how much money was spent on information technology services for the department?

We would like to be able to look at and compare all of the different ministries because we are beginning to believe that there is an extraordinary amount of money being spent here, and we want to start looking at whether there are comparisons and considerations that we should be making as the Official Opposition.

Anticipating that the minister or the Deputy Government House Leader is going to get up and refer us back to Motion for a Return 10, that in fact is not giving us the information that we're seeking. It's giving different information and, I would argue, probably not in a useful or as useful a format or level of detail, because this is providing a list of the vendor services. Well, you know, how do we tell whether ABC got as much as HYJ or whatever? We can't. We just get a listing of vendors, and then we get a total amount that's been spent on information technology services. They're not linked together in any way, and exactly what we were seeking was that linkage. I hope that the government doesn't do that, but that has been their pattern this far.

So I would encourage all members to accept MR 70 as it appears on the Order Paper. Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I rise here again to point out that in MR 70 we're basically citing one individual ministry, that being the Ministry of Seniors in this case. Earlier and I think earlier this afternoon as well we had indicated in the House that MR 10 as amended withdrew the name of one specific ministry, which at that time was Health and Wellness, and opened it up so that all government of Alberta departments would be covered in the provision of information about contracts on IT services and include the provision of a list of vendors who provided those services for the fiscal year in question. On the basis of previous explanations that I've made that tie back to MR 10 as amended, we are able to reject Motion for a Return 70 since it is already covered for the most part at least under MR 10 as amended. So we can reject Motion for a Return 70 on that basis.

[Motion for a Return 70 lost]

**4:10 Department of Justice and Attorney General
IT Contracts**

M71. Ms Blakeman moved that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Justice and Attorney General 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, anticipating what the Deputy Government House Leader is going to say, he's going to be referencing back to Motion for a Return 10. You know what? In having read this again, it's worse than I thought, Mr. Speaker, because what we're getting there is the total dollar amount spent by the government of Alberta. Like, it doesn't even give us the amount by department, which is what the Deputy Government House Leader would like us all to believe, that somehow this is supplying us with the information that we've requested and giving it to us by each department. No, it isn't.

We're going to get two numbers here. One is the total amount spent by the government of Alberta, and the second is a listing of all vendors for every single department, government of Alberta, and, one is presuming, all of their Crown agencies. So this is deliberately giving us obfuscated material so that we can't do any of the work that we're seeking to do and we have no level of detail at all.

You know, I hope that they don't bring forward and refer to that other motion, because it really is absolutely almost the antithesis of what I'm asking for. On one hand, we've got detail; on the other hand, we've got no detail: two documents that we're going to get. I hope that the government will understand that we're seeking that level of detail and not some other totally different information, which is what they seem intent on providing.

It just makes people ask: what are you hiding? That's not a good thing, and I want to help the government out here so that they don't get accused of that. So come on; give us the information. Thanks.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. Well, the information regarding contracts for information technology services and a listing of all the vendors who provide it for the year will be forthcoming pursuant to MR 10 as amended. That impacts MR 71, which is before us now, so we can obviously reject MR 71.

I should point out that there are other processes and procedures that can be followed to access information. We've talked at great length about FOIP and how it might apply, but there's also Public Accounts, and there are individual ministry debates that occur. There are various ways that this kind of information can be asked for or requested, and I don't see any reason why some members don't follow that particular route.

In any event, since the essence of MR 71 is already covered off in the amended MR 10, we are able to reject MR 71 on that basis. Thank you.

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

Ms Carlson: Thank you, Mr. Speaker. I have to say that the Deputy Government House Leader just makes me so angry when he goes off on that kind of a rant that I have to get up and speak to it. In fact, if we can get the ministers to appear at Public Accounts – and you can only get a small number of them each year, about a third of them – they don't give you the level of detail that you're asking for. We're dealing with the prior year then, not the current year under discussion, so it's old information at that stage. I have never in all my

years on Public Accounts, which were numerous, been able to get that level of information from a minister.

If we make a FOIP request, it's either outrightly denied or we get a bunch of white pages without any information on them, or the cost associated with recovering a small amount of information is outrageously expensive. Whenever possible this government has done a superb job of denying us information at every possible opportunity. Repeatedly, when we ask for the information in a FOIP request or when we ask for the information in question period or when we ask for the information in Public Accounts, this government says: "Well, why don't you ask for the information in motions for returns or written questions? That's more properly asked for in that manner."

Well, here we are, Mr. Speaker, and that's why we have literally hundreds of these questions here at this particular time. We listened to this government, and we believed that maybe just once they'd give us the information. But what do we get? The royal runaround one more time.

The Deputy Speaker: The hon. Member for Edmonton-Centre to conclude debate.

Ms Blakeman: Yes. Thank you and my thanks to my colleague from Edmonton-Ellerslie for covering off a number of points that I was going to raise. She's exactly right, and I'll just raise a couple of additional ones in reaction to remarks that the Deputy Government House Leader has made here.

In the Public Accounts Committee, as she noted, we're seeing eight or nine ministers a year, so that means that every three years we would actually see all of them. Of course, you can only question the year that's under consideration, so by the time you get three years later to the minister that you really wanted to ask, you've probably moved out of the year that had the information you wanted. So that's one way that we get stymied.

The other thing is that of course it's an all-party committee, and there's a back and forth between opposition members and government members asking questions. So these days on average there are about five questions that the opposition is getting on the record during the Public Accounts Committee. Well, we've today gone through far more than five, so actually if we were granted the information, we would be getting more information here because we would be processing through it faster. We get about five questions per session with eight or nine ministries in Public Accounts. So you can see that that's not a heck of a lot of information that we're able to get.

The Deputy Government House Leader concluded his remarks by saying: well, you know, this motion has been covered off by Motion for a Return 10. It most certainly has not. They are offering to give us two things: the total dollar amount spent by the government of Alberta, which is not the ministry. That is why we asked for each and every ministry, because in some cases in the past a minister will give us the information and the next one won't, but at least we got some information. What we're getting here is nothing.

We're going to get one aggregate number of the total amount of information technology service contracts for the entire government. It's not broken down by department. It's not giving any additional information or level of detail that we requested. One number. Plus we're getting a list of vendors. Well, those two things are most definitively not what we asked for. For the Deputy Government House Leader to say that this has been covered off is fanciful at best, and I can't think of a word to describe what it is at worst.

I urge all members to support the original motion for a return that I moved.

[Motion for a Return 71 lost]

Department of Gaming IT Contracts

M72. Ms Blakeman moved that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Gaming on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. You know, this is getting very interesting. Here we are as a government trying to give information, and there they are trying to reject what we're prepared to give and then criticize what might be forthcoming before you even know what you're going to get. I just don't understand that. Why don't you wait until you see what you get and then make the criticisms and observations that you might want to make? To me that would make a little more sense. However, let's wait and see what you get. Maybe some of your comments will be valid; I don't know.

What I would like to correct, though, are the comments that the Opposition House Leader made about what I said about the information that would be provided. I think that if you check *Hansard*, I never said that you would be getting exactly, word for word, what it is that the original thing had intended. I think that I probably said that you'd be getting the essence of the information or you'd be getting stuff that's covered by the spirit of the amendment or words to that effect. So please check that for yourself, hon. Opposition House Leader.

4:20

Now, with respect to Motion for a Return 72, which again can be rejected because MR 10 as amended covers the gist of what has been requested, we are going to therefore recommend that it be denied at this point, and I think the arguments have already been made on the record as to why. Again, we're trying to move this process along not only from the point of view of using the House's valuable time as efficiently as possible but also in the spirit of providing as much information as can be provided without violating some of the laws and procedures and, in particular, the FOIP Act, which was passed by this House.

So, on that basis, we're going to recommend rejecting MR 72 since the gist of it is included under MR 10 as amended. Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Centre to conclude debate.

Ms Blakeman: Thanks. Well, bitter experience and long history have shown us that we should not be hopeful about waiting to see what we get. That's certainly been the experience here on the opposition side since 1993 in trying to wait for information from the government. So, you know, I take what the Deputy Government House Leader says, but history and experience show exactly the opposite.

I guess if he wanted things to move along, then perhaps if his comments weren't quite so provoking of debate, it might move along a little faster, but when he keeps saying things like "it's been covered off" when it hasn't been, he's going to get comment back. So maybe his colleagues might want to advise him to restrict his comments to things that are a little less incendiary to the members over here.

I hope that members will not take the advice of the Deputy Government House Leader and will in fact vote in support of MR 72. Thank you.

[Motion for a Return 72 lost]

Department of Community Development IT Contracts

M73. Ms Blakeman moved that an order of the Assembly do issue for a return showing the total dollar amount spent by the Ministry of Community Development on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. The Ministry of Community Development is of course part of government, so it is covered under MR 10 as amended, which talks about having the entire government of Alberta reflected in the information provided. So Community Development will be included there.

On the basis as outlined earlier in this House and earlier today in particular regarding MR 10 as amended, I can tell you that MR 73 can also be rejected since the information requested will ostensibly be provided for through MR 10 as amended.

On that basis, I would recommend that MR 73 be rejected at this time. Thank you.

[Motion for a Return 73 lost]

Horse Racing Industry

M75. Ms Blakeman moved that an order of the Assembly do issue for a return showing any and all accounting statements in the possession of the government regarding the use of monies by Horse Racing Alberta collected and distributed for the racing industry renewal in Alberta.

Ms Blakeman: The genesis behind this question was that as we started to look at a comparison, we found that there were different ways of accounting and of explaining expenditures between the department, the horse racing initiative, ARC. In order to get clarification, we're looking for all of these accounting statements so that we can figure out what exactly is going on.

Thank you.

The Deputy Speaker: The hon. Minister of Gaming.

Mr. Stevens: Thanks, Mr. Speaker. I urge the Assembly to reject this MR. The government's role with regard to horse racing and Horse Racing Alberta is to ensure accountability in relation to the funds received by Horse Racing Alberta through the racing industry renewal initiative. It's up to Horse Racing Alberta to determine how best to spend those monies that they have earned through the initiative, the objectives being the revitalization of the horse racing industry in the province and the continued employment of thousands of Albertans in the agricultural sector.

In the past, annual reports of the Alberta Racing Corporation were tabled in the House to provide Albertans with an account of how that organization spent its funds. This practice continues under the Horse Racing Alberta Act, which requires the annual report of Horse Racing Alberta to be tabled each year.

Mr. Speaker, more detailed accounting information relating to Horse Racing Alberta is in the possession of the Alberta government. However, this information is commercial information of a third party, was provided in confidence to representatives of the government who sit as nonvoting members of the Horse Racing Alberta board of directors, and disclosure of such information could reasonably be expected to be harmful to the competitive or negotiating position of the third party and result in undue financial loss. As such, I'm not at liberty to satisfy the member's request.

If the member opposite would like access to any information that is not reflected in the Horse Racing Alberta annual report, the member may contact Horse Racing Alberta directly or follow the process contained in the Freedom of Information and Protection of Privacy Act.

[Motion for a Return 75 lost]

Northern Lights Regional Health Authority IT Contracts

M78. Ms Blakeman moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total dollar amount spent by the Northern Lights regional health authority on contracts for information technology services broken down by company and total dollar amount for each for the 2002-2003 fiscal year.

Mr. Mar: Mr. Speaker, government will be rejecting Motion for a Return 78 for the same reasons given earlier for Motion for a Return 44.

[Motion for a Return 78 lost]

Community Development Minister's Travel to India

M79. Ms Blakeman moved that an order of the Assembly do issue for a return showing all activities, meetings, and events the Minister of Community Development partook in during his trip to India between January 11, 2004, and January 21, 2004, inclusive broken down by his itinerary for each day.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. This one refers to the ministry I'm privileged to serve. The dates are not quite correct, but I think I understand what is being requested here, and I have no problem providing that to the best of my ability. I think, in fact, that the hon. member would probably want things from the date that I actually arrived in India, which was January 9, but I won't bother amending it. I'll just provide whatever I can and include the dates that are here.

I'll accept this particular question as it is. Thank you.

[Motion for a Return 79 carried]

4:30 Assistance with Utility Bills for Seniors

M80. Ms Carlson moved on behalf of Ms Blakeman that an order of the Assembly do issue for a return showing the total number of seniors who applied to the Ministry and Department of Seniors for financial assistance due to rising utility bills in fiscal year 2002-2003 broken down by how many were given assistance and the range of amounts each received.

The Deputy Speaker: The hon. Minister of Seniors.

Mr. Woloshyn: Yes. Mr. Speaker, I'd like to amend this motion to read:

That an order of the Assembly do issue for a return showing the total number of seniors who applied to the Ministry and Department of Seniors for financial assistance due to rising utility bills in 2003 broken down by how many were given assistance and the range of amounts each received.

The reason for the amendment, Mr. Speaker, is simply that the request as it's printed would break it up into two fiscal years, and the actual assistance was given during the calendar year. We'd like to give complete information. That's what the amendment would do.

Ms Carlson: Mr. Speaker, my colleague from Edmonton-Centre assures us that this is a good amendment and she's in favour of it, and we appreciate the information being provided.

[Motion for a Return 80 as amended carried]

Government Advertising Budget

M81. Dr. Massey moved on behalf of Dr. Taft that an order of the Assembly do issue for a return showing the total television, radio, billboard, and print media advertising budget broken down by each advertising campaign for each ministry and the Public Affairs Bureau for fiscal years 2001-2002, 2002-2003, and 2003-2004.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. It's a pleasure for me to respond to MR 81 with an amendment on behalf of the Premier's office. In fact, the amendment I believe was circulated to the Opposition House Leader prior to 11 a.m. on I think it was Monday, April 26. I should probably be going back at least one Monday. Normally it's the day of the debate, but I think we have to go back to April 26. In any case, it's been shared in accordance with the rules.

I'd just like to move an amendment, so MR 81 would read as follows: "That an order of the Assembly do issue for a return showing the total advertising costs incurred by government departments broken down by each department for the fiscal years 2001-2002 and 2002-2003."

Just a couple of other quick comments, Mr. Speaker. All that we've done is really just tightened up the wording here a little, but they'll get all the costs that have been incurred broken down by each department as requested. Unfortunately, 2003-2004 figures – I'm not sure, but I don't think they're available yet. I don't think they've all been compiled, which is why '03-04 has been withdrawn. So that's my understanding in any case.

With that, Mr. Speaker, I would move the acceptance of the amendment as it affects MR 81. Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Mill Woods on the amendment.

Dr. Massey: Thank you, Mr. Speaker. In speaking against the amendment, I think the second provision, (b) striking out "budget, broken down by each advertising campaign for each Ministry and the Public Affairs Bureau," and substituting "costs incurred by Government Departments, broken down by each department," really emasculates the motion. I think it's unfortunate because in judging government policy and the efforts that the government is going to in terms of promoting that policy, (b) really is at the heart of the matter. I think it's very unfortunate that this kind of amendment has been brought forward.

Thank you.

[Motion on amendment carried]

The Deputy Speaker: The hon. Member for Edmonton-Mill Woods to conclude debate.

Dr. Massey: Well, yes. The information that was asked for, Mr. Speaker, is information that Albertans should expect to have readily available. The very fact that the government spends money on advertising and promoting its policies is I think something that bears closer scrutiny.

I think that there was a time – I remember from being a municipal politician – when spending money in that manner, spending tax dollars in that manner, was certainly frowned upon. There were some huge issues that came before the school board when it would have been nice to go out and try to present one view of the issue to the public. We always resisted that because the appropriateness of spending any money in that way, I think, was questioned.

This government has gone far down the road from even questioning it, and we see a minimum of over \$4 million in the budget being spent on advertising campaigns, and that's just the tip of the iceberg. I think that it's unfortunate that the kind of transparency and clarity that the government often touts doesn't seem to extend to their advertising campaigns.

[Motion for a Return 81 as amended carried]

Watershed Stewardship Groups

M82. Mr. Mason moved on behalf of Dr. Pannu that an order of the Assembly do issue for a return showing a copy of the Department of Environment's mandate for watershed stewardship groups, WSGs, and any other documents indicating the timeline for establishing WSGs, their terms of reference, criteria for membership, the process of becoming a member, what recruitment efforts will be undertaken, and on what basis funding will be provided to these WSGs.

Mr. Mason: If I may just speak to that, Mr. Speaker. We've asked for this information so that we can better understand the Department of Environment's water for life strategy and how it's going to be working in individual areas and with these groups. We're asking for the timeline for their establishment and terms of reference and how people become members. Who becomes members? As well, the funding. I think that these are all issues of interest to all members of the House, or should be.

I would urge hon. members to support the motion.

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I think that the member is correct. It is the case that this motion for a return does provide for some questions regarding the provision of information that would be of interest to all Albertans. Unfortunately, the motion is just slightly premature, I'm told by the Minister of Environment, hon. member. It's just a little bit premature at this time, so on behalf of the Minister of Environment I'm having to reject it because of that prematurity.

The reason that it's premature is because the Department of Environment has not yet established any of these stewardship groups, but the Minister of Environment did encourage me to indicate to you that, perhaps, if you wouldn't mind asking this question a little later – my understanding is that they won't be done within the next 30 days, so if you could come back with the question a little later or just send him a letter asking for what you're looking for, I'm sure he'll do his best to respond.

4:40

The Deputy Speaker: The hon. Member for Edmonton-Highlands to conclude debate.

Mr. Mason: Thank you very much. Mr. Speaker, I would be pleased to renew the question in a month or so if I had any reason to believe I would be here.

Mrs. Nelson: Where are you going?

Mr. Mason: Well, I don't think any of us will be here in a month, Madam Provincial Treasurer, because I think we've only got a couple of weeks to go. So I guess that if the work is not done, it's not done, but perhaps the motion will have the benefit of encouraging the minister in these areas to proceed expeditiously since these are important areas.

Thank you very much, Mr. Speaker.

[Motion for a Return 82 lost]

The Deputy Speaker: It's my understanding that another motion is coming forward at this time.

The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Maybe, Mr. Speaker, we'll delay it by a couple more minutes.

Assured Income for the Severely Handicapped

M83. Mr. Mason moved on behalf of Dr. Pannu that an order of the Assembly do issue for a return showing copies of any documents from the Department of Human Resources and Employment for the fiscal years 2001-02, 2002-03, and April 1, 2003, to February 24, 2004, indicating the terms of reference for any review of the assured income for the severely handicapped program, the membership of the committee undertaking such a review, and a list of the groups and individuals who were consulted.

Mr. Mason: We are interested in the review that we understand is being undertaken by this ministry, and we are interested, of course, in the assured income support for the severely handicapped. It is a critical issue that the minister has indicated in the past needed to be reviewed.

We would be encouraging all members of the Assembly to vote for this so that we may understand what the terms of reference for this program are and just who is doing it and what the consultation is.

Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Minister of Human Resources and Employment.

Mr. Dunford: Yes. Mr. Speaker, I want to notify the House that we would reject this motion for a return. The reason is that we have not commenced a formal review of the assured income for the severely handicapped program. The AISH Act requires the program to be reviewed every five years, and the next review must commence by September 30 of 2004.

The Deputy Speaker: The hon. Member for Edmonton-Highlands to conclude debate.

Mr. Mason: Thank you very much, Mr. Speaker. Well, I would think that the minister needs, I guess, to deal with these questions. I believe that the AISH program cries out for such a review and that when the minister does undertake such a review, the information

which we are asking for ought to be part of the initial release of the program.

Thank you, Mr. Speaker.

[Motion for a Return 83 lost]

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

Mr. Lukaszuk: Thank you, Mr. Speaker. I rise and request unanimous consent to revert to private member's business in the Committee of the Whole.

Thank you.

[Unanimous consent granted]

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

[Mr. Tannas in the chair]

The Chair: I'll call the Committee of the Whole to order.

**Bill 203
Canada Pension Plan Credits Statutes
Amendment Act, 2004**

The Chair: Are there any further comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Justice and Attorney General.

Mr. Hancock: Thank you, Mr. Chairman. I was asked to just comment briefly in committee about some of the amendments which I understand were actually passed, so I won't speak to the amendments themselves but speak to what we now have as the bill. When Bill 203 came forward, it had in it sections relative to the Family Law Act and sections relative to the existing Domestic Relations Act. The purport of the bill is to allow the splitting of Canada pension plan credits, but when drafting the bill, the sections were included with respect to each of those two acts which purported to suggest that an agreement was binding if there was not valuable consideration and would be invalid if it was done by fraud, duress, undue influence, or if one of the parties lacked mental capacity.

Now, the problem with including those items in the bill is that those are already covered by common law. If any of those things exist, the agreement could be voided in any event, but by putting them in the bill, it then raises the question about other agreements in those particular acts. So the Department of Justice lawyers suggested that those amendments were surplusage to the actual intent of the bill and should be removed because by not removing them, we would cause problems with the remaining acts, the Domestic Relations Act and the Family Law Act. That's why I requested that those amendments be brought forward and passed, so that if this bill in fact were passed, it could be proclaimed if necessary and be effective. Otherwise, we would not be wanting to move ahead with proclamation until we changed the rest of the act so that the laws of interpretation wouldn't confuse matters further.

I wanted just to put on the record that the Department of Justice was recommending that if this private bill is passed, it be passed with amendments to take those sections out, as has now been done, and to take those sections out not to decrease the protection of the individual but rather in recognition of the fact that the individuals are already protected and that by putting these sections into the

Family Law Act and the Domestic Relations Act, we would actually be perhaps endangering other protections that people already have with respect to other agreements in the act.

I hope that that clarifies the purpose for the amendment and makes it easier for people to support the bill.

The Chair: The hon. Member for Calgary-West.

4:50

Ms Kryczka: Yes. My thanks to everyone for their involvement in preparation and debate on discussion of Bill 203. Mr. Chairman, I would now like to close.

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

Ms Carlson: Thank you, Mr. Chairman. I would like to speak in committee to this bill.

The Chair: Yes.

Ms Carlson: Okay. Thank you for the clarification on that amendment. That helps clarify what we had discussed and debated last week.

I have to say that I'm still not in favour of this bill as it stands for all of the reasons that I outlined last week. I still believe that these are not always fair negotiations that people are involved in when a marriage breaks up and assets are divided and that we need to ensure always that it's the protection of the weakest party in the negotiating that the law sets out, to ensure that they have every right and every facility available to them to protect themselves and their families. I don't believe that this bill does that, Mr. Chairman, so I will not be supporting it.

Ms Kryczka: Question, please.

[The clauses of Bill 203 as amended agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

**Bill 204
Blood Samples Act**

The Chair: Are there any comments, questions, or amendments to be offered with respect to this? The hon. Member for Edmonton-Castle Downs.

Mr. Lukaszuk: Thank you, Mr. Chairman. Thank you very much. It's an honour to bring into debate in Committee of the Whole Bill 204. I have been actively promoting the concepts proposed by Bill 204 for nearly a year. Since June 2003 I have had the pleasure of meeting dozens of firefighters, police officers, and health professionals to discuss the merits of this bill and areas for improvement. The support for this legislation has been tremendous and unanimous among all affected, Mr. Chairman.

As discussed in second reading, section 4 of Bill 204 creates a framework for the very rare instance when someone refuses to provide a blood sample after exchanging bodily fluids with a health or emergency worker defined in section 4(2)(a). Not providing a

blood sample causes significant mental and physical stress for the infected workers. The mental distress extends beyond the infected persons to their family, friends, and co-workers, Mr. Chairman. The physical side effects are due to the noxious drugs that the infected officer must take for months.

The current system fails workers who are exposed to someone's bodily fluids through the course of their duties. I think the vast majority of Albertans, Mr. Chairman, would agree that some mechanism should be in place forcing a person to give a blood sample. The goal of section 4 is to make sure that no one can torment people who work in professions that protect communities and save lives and that health information cannot be used for other purposes at all.

This bill also, Mr. Chairman, will cover good Samaritans who voluntarily expose themselves in saving the lives of others in whatever situation may occur.

There are a number of people who oppose issuing a court order for a blood sample as proposed in section 4(8). The goal is to help emergency workers, as you know, Mr. Chairman, and the bill is written in such a manner that the information cannot and will not be used for any other purposes than that as intended in the bill.

Mr. Chairman, the opposition to this bill has been meek at best. As you may have found through the tablings in the House, the support has been rather vast, and as such I would encourage all members of this Assembly to support this bill and pass it into third reading.

Thank you.

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

Mr. Mason: Thank you very much, Mr. Chairman. I'm pleased to speak to this bill at committee, and I have a number of questions. I have taken the opportunity between this time and the time of second reading on the bill, when I spoke against it, to consult with the police association of Alberta and the union representing correctional officers in provincial facilities and have had an opportunity to discuss their concerns with respect to this issue. I think that it's assisted me to have perhaps a more balanced view in connection with that bill.

It's a difficult one. It's a bit of a conundrum, actually, because we have a situation where people's civil liberties are infringed, and that can be done, I think, in a democratic society under very specific circumstances. For me this is not a clear issue. There are a number of aspects to it.

Now, someone who is in a position of believing that they may have received an infection as a result of dealing with another party during perhaps an arrest or moving people around within a correctional facility or calling at a fire or an accident, all those things – there's no doubt in my mind that this creates tremendous strain on the individuals. This is what I heard from talking to the different people while I was consulting on the bill. They told me very clearly that they were aware of concerns that have been raised by others; that is to say that someone might be infectious but not be testing positively to a test. A test might give some false relief. I'm told that these matters are explained carefully to them.

Another thing, Mr. Chairman, that I learned was that sometimes suspects in the case of an arrest will spit on an officer and then use that as a bargaining chip: "I'll give you the information about my status relative to being infected in some way if you are willing to negotiate on the charges," or something like this. This was quite a revelation to me, that this is apparently becoming a fairly common tactic among people who are arrested. That is a very serious concern.

Now, balancing that, Mr. Chairman, are concerns that have been raised with me by other organizations that there may in fact be only particular categories of people who are targeted for this mandatory testing, and those are the poorest sections of society, aboriginal people, and people who may be considered to be what the hon. Member for Edmonton-Castle Downs described as lifestyle. That is a really serious concern for many in our community, that people who might be gay, people who might be native, people who might be living on the street would be the ones that would be subjected to this kind of situation. So that is a difficulty.

I was pleased to contribute toward the unanimous consent so that this bill could be dealt with. [A cell phone rang] I'm still struggling with the bill and some of the concepts, but I do believe that it was only fair that this bill ought to receive consideration by the Assembly. I'm sure, Mr. Chairman, that by the time third reading comes around, I will have resolved all of the various issues in my own mind. I find it a very difficult bill to deal with because of the very strong conflicting and legitimate concerns on both sides.

Thank you, Mr. Chairman.

5:00

The Chair: Hon. members, we are not allowed – hon. minister, I think you're included in this – to take or send phone calls in the Chamber.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

Mr. Horner: Thank you, Mr. Chairman. It is my pleasure to rise this afternoon and continue debate on Bill 204. I think that it is a great bill, and it should be considered very seriously by all members of the Assembly.

Even though the bill is a positive step in the right direction, Mr. Chairman, it does raise a couple of questions. My questions stem from the good Samaritans and their role with confidentiality. If a good Samaritan can request a forced blood sample under section 4(2)(a), how does the rest of the act apply in the area of confidentiality? What I mean is that section 5 states:

Except as expressly authorized by this Act, no person shall disclose to any other person the name of or any other information that will or is likely to identify a person in respect of whom an application, order or physician report is made under this Act.

What I understand with this is that if a good Samaritan – for instance, a regular person who helps out someone in need – requests a blood sample of the person helped, that good Samaritan cannot share this information with anyone.

However, if he or she does, does that mean that that person is subject to the same penalties outlined in section 9 under the title Offence and Penalty? If it is the case that a good Samaritan can be penalized for disclosing information, then I think that this would solve some of the concerns that Albertans may have about giving their blood. I'm not completely sure whether or not section 9 applies to just those who refuse to give blood or if that would also apply to an individual who contravenes section 5.

As well, does section 9 also apply to emergency personnel? If an emergency worker is proven to have disclosed information as it relates to this bill, does that mean that they can be fined upwards of \$5,000? I hope, Mr. Chairman, that the answer to the question is yes, because there must be mechanisms in place to ensure that the privacy of individuals is protected as best we can. If a person is asked to give a blood sample, they need to have the peace of mind for themselves that this information will not be going public.

I think that the way we ensure this is by punishing those who do disclose that information. In fact, the argument can and should be made that we consider making the punishment for disclosing the information more severe than refusing to give a blood sample. That

might help encourage those who are asked for blood to give without opposition.

I do realize that health care workers, police officers, and other emergency personnel are governed by other legislation, but do those pieces of legislation cover this sort of situation?

Personally, I think that this bill is an extremely good idea, and we should all consider the benefits that it will have for the people of Alberta. Through a lot of the discussions that we've had in second reading, the term good Samaritan has been used a number of times, yet it seems to only be implied in section 4(2)(a)(i). Will this cause us future problems? I don't know, Mr. Chairman. It is for that reason that I raise the hypothetical situation of the good Samaritan helping a fallen soul on the street. I know that when I read the bill, I understand that it would mean those people who stop to help who aren't the trained professionals; i.e., helping a fallen soul in the street. Could the sponsor please clarify this for me and for the House?

I think that this bill has a lot of positive aspects to it, and I would encourage all the members present to consult with their constituents and to support the bill. Thank you, Mr. Chairman.

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

Dr. Massey: Thank you, Mr. Chairman. As the Member for Edmonton-Highlands indicated, it is a difficult bill not with respect to its intent, certainly. I think that all support the intent of the bill, but for the protection of those workers – peace officers and police officers and firefighters, emergency workers or good Samaritans – there can be no question about wanting to do everything we can to ensure their safety.

The problem comes, of course, with the essence of the bill, and that's the questions that are raised about individual rights and the broader rights of the greater community. I think that it's been indicated in the House that the Privacy Commissioner has indicated that any proposed measure that would infringe on privacy has to meet four tests, and the Privacy Commissioner was very critical of the federal legislation that was proposed in this same area. In his arguments against the federal statute he used the four tests, and I think they're the basis for the questioning that's gone on in the House and elsewhere with respect to Bill 204.

The first test, of course, is necessity. Is the bill really necessary? Does the bill do what it purports to do? The magnitude of the problem has been questioned. I think that the information given was that there have been two probable cases of occupational transmission of HIV in Canada and only one confirmed case and that, in fact, those cases wouldn't have been covered by the bill that's before us. So there's some question about the necessity or, in particular, the nature of the bill that's in front of us, and that's related to effectiveness.

The Privacy Commissioner's second test for a bill such as the one in front of us is: is the bill effective? Of course, the questioning of Bill 204 is the timing that it would take to get an order and carry out testing and then the fact that the results wouldn't be conclusive. The Privacy Commissioner pointed out that a negative result doesn't necessarily mean that the source person isn't infected. That's of great concern, that there is a window of incubation before the virus is detected and, particularly if the object is a knife, that there could be more than one person's blood on the weapon. So is it effective, I guess, is a critical question for the workers that are going to be affected by this legislation. They'll want legislation in place that is truly effective in dealing with the problem that they face.

The third test that the Privacy Commissioner put forward was: how much of an invasion of privacy is this? That's of course an area

where the objections to the bill are most strongly voiced. According to the Privacy Commissioner, mandatory blood testing is a massive and unprecedented invasion of privacy. It's that privacy issue, Mr. Chairman, that I think those in government charged with bringing forth legislation have to be keenly aware of and very sensitive to anything that undermines or takes away a person's right to privacy. I think that it has to be embarked on with the most serious of consideration. Again, this does take away the privacy of individuals that are suspected of having contaminated blood.

5:10

The fourth test is: are there less invasive alternatives? The case has been made for voluntary consent, and I'm not sure that I agree with that. Given the kind of circumstances that would seem to surround these kinds of incidents, even though the track record has been fairly good in getting voluntary consent, that's of little comfort to those individuals who find themselves in the situations where consent isn't given. So the substitution of voluntary consent I don't believe is a solution to the problem. It has to be considered. As I said, voluntary consent is not something that I think I could endorse.

A bigger issue, of course, is that the tests may not be effective, and that would be tragic if we went to all of the effort of having legislation passed and giving those workers the assurance that somehow or other they're going to be protected, and in fact no protection was there for them. The fact of the matter is that police and emergency workers would still need to take drug cocktails following an incident, whether there was mandatory testing or not, just to prevent HIV or hepatitis because they have reason to believe that a person whose body fluids they have come in contact with is infected. If there's contact, they automatically have to go on the cocktail.

Even if there's a negative result of the test, that doesn't mean that the person that they suspect of having infected them is really free of infection because of the incubation period that those viruses require. So the concern that workers would be protected when in fact they're going to end up having to take . . .

The Chair: Hon. member, under Standing Order 4(2), "if at 5:15 p.m. on Monday, the Assembly is in Committee of the Whole and the business of the committee is not concluded, the committee shall rise and report immediately."

Dr. Massey: I had concluded my remarks, Mr. Chairman.

The Chair: Oh, sorry. Okay.

Some Hon. Members: Question.

The Chair: There isn't a question. We've already moved one. This one now must report progress.

Are there any further requests to speak on this? Are you ready for the question then?

All right. We have for our consideration Bill 204, Blood Samples Act, as moved . . . The hon. Member for Calgary-Bow.

Ms DeLong: Yeah. I was going to speak, but I guess it's 5:15 now.

The Chair: When the question has been called, that's the trigger for anybody to get up, but once we're into it, then it's a little late. And we're into it.

[The clauses of Bill 204 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Mr. Stevens: Mr. Chairman, I move that we rise and report bills 203 and 204.

Thank you.

[Motion carried]

[The Deputy Speaker in the chair]

Mr. Lougheed: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: Bill 204. The committee reports the following with some amendments: Bill 203. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in this report?

Hon. Members: Agreed.

The Deputy Speaker: Opposed? So ordered.

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

**Bill 206
Alberta Wheat and Barley
Test Market Amendment Act, 2004**

The Deputy Speaker: The hon. Member for Calgary-Mountain View.

Mr. Hlady: Thank you, Mr. Speaker. It's truly an honour for me to be able to rise today and speak to Bill 206.

Before I begin my remarks, I'd like to once again acknowledge the Alberta . . . I'm going to move it, Mr. Speaker, I promise, as I get into it here. I would like to acknowledge the Alberta farmers. I've taken on this fight on behalf of them. This has been a burning one for them.

I would like to move second reading, Mr. Speaker, of Bill 206 to get us started.

Mr. Speaker, when you meet face to face with someone who has gone to jail over the most simple of economic rights, the right to sell the product they've created to whomever they choose, you begin to understand just what a commitment many of them have made to this cause. I would say to this province and to this country that my commitment to this cause takes great inspiration from the commitment of the farmers who've gone to jail or who've been fined. It is my hope that this entire Assembly rallies behind this bill in a show of support for our farmers and for their freedom to have a choice.

Mr. Speaker, on behalf of the farmers who have been penalized, I certainly, again, will move Bill 206 on second reading, the Alberta Wheat and Barley Test Market Amendment Act, 2004.

This act, if passed, would do the following. First, it gives our government the ability to set a date. If the federal government and the Canadian Wheat Board have not agreed to set up a 10-year trial market in Alberta for wheat and barley by this date, then our

government would have the ability to set up a 10-year trial market with or without the federal government's approval.

What's more, Mr. Speaker, this bill gives our farmers the hope they deserve after carrying on this fight for as long as they have. I think it is important that we go into the history of this bill so that we might be able to get a sense of why we are taking this step today.

In 2002 this House passed Bill 207, the Alberta Wheat and Barley Test Market Act. That bill was an olive branch to our federal government. It took the dreams and aspirations of farmers and built them into a goodwill act toward the federal government and the Canadian Wheat Board. The bill was simple. It mandated and showed governmental support for the Minister of Agriculture, Food and Rural Development as she worked towards providing choice for Alberta's farmers. It did so by using the lesson that many of us learned when we were young: if you want to do something, prove that you can handle the pressure and do it well. That's all the farmers wanted. They wanted the chance to show that they could do just as well on the open market as if they had to sell their wheat and barley to the Canadian Wheat Board.

The members of this Assembly know quite well that our farmers can farm as well as anybody and can make it on their own in the free market. We have faith in them, we have faith in their abilities, and we understand that the free market is the best marketplace for any commodity.

The Canadian Wheat Board, on the other hand, wasn't so sure, so we offered a compromise: allow our farmers to market their grain privately for the next 10 years, and if they aren't succeeding, review the decision after the 10 years. If farmers are doing well, then allow them to continue to market their grain freely and get rid of the Canadian Wheat Board monopoly, but if they choose to use the Wheat Board, use it.

5:20

Mr. Speaker, it was my belief when I introduced Bill 207 and when it got passed in the Assembly that finally we were getting somewhere. Unfortunately, I think I was wrong. The federal government has not responded to anything around Bill 207. They have not respected the wishes of Alberta wheat and barley farmers.

Sixty-eight per cent of barley farmers wanted the option of selling their product on the open market. Sixty-four per cent of wheat growers in Alberta wanted the option of selling their wheat on the open market. These were studies done in '95 and '97. More recently we have 81 per cent of Alberta farmers and 75 per cent of farmers across the prairies simply wanting a choice. Didn't say: get rid of the Wheat Board. Simply want a choice. They want the option, Mr. Speaker, but apparently the Wheat Board doesn't think that they're capable of handling it.

As I said at the outset, Bill 206 gives this government the opportunity to set a date by which we will establish a wheat and barley test market on our own should the federal government refuse to negotiate in good faith. Bill 206 also gives the government the ability to make regulations for the selling of wheat to whomever a farmer chooses. Mr. Speaker, I believe having the choice of whoever they want to sell to is really what the farmers are looking for.

I know this is a controversial bill. Some are going to argue against this bill. They'll raise concerns that it is unconstitutional, which I disagree with, and that the federal government has the right to control our wheat and barley farmers. This group has the federal government on their side, and this group may be right, but it's time we took up this fight, Mr. Speaker.

We've constantly been forced to fight the federal government, and our farmers have always had to go to the courts alone only to be

turned down. But I believe a government-to-government fight is what we need to get to to make sure that we know where this stands in Confederation. When you look back to the BNA Act, no government signed on to the Wheat Board as the sole marketer. We have at least 50 per cent of the right to be able to market our agricultural products any way we choose or allow our farmers to do that.

Mr. Speaker, I think it's time that we created a law and forced the federal government to fight us. Let's see what they've got. Let's see if they, by the end of a court fight, feel the same way as they do today or if it's been opening up enough that there's actually a push across Canada to allow for an open-ended choice in marketing.

Others will argue, as the opposition party and third party have, that the Canadian Wheat Board does a good job on marketing from a single desk so we should leave things as they are. Mr. Speaker, that's just simply not true. There is about 25 per cent of wheat and barley farmers who are onside, and I do acknowledge that. But when you compare the prices, whenever we've had a chance, farmers have never even come close to getting the prices that they were able to.

When the farmers crossed the border a few years ago and then were arrested accordingly, what happened was that they were getting 50 per cent more on the American side of the border than they could get from the Wheat Board on the Canadian side of the border on that particular day. A 50 per cent commission, Mr. Speaker, is completely out of line. If that's administration and fees, it's ridiculous. For any broker in the brokerage industry the 3 per cent range is a good commission, 1 per cent if it's a big order. If they're taking that kind of money, there's no way the farmers could ever be getting the proper price for their grains when they sold them.

I'd certainly put forward some questions to our opposition in regard to this. Why are they opposed to marketing choice? What have you got against allowing the farmer to go alone if he wants to? Are you concerned for the farmer? The farmer wants a choice. He doesn't want to be told how to market his wheat or barley.

Are you concerned about the well-being of other farmers whose

price may fall due to the competition? Well, the free market has worked extremely well in oats and canola and other non-board grains. We've seen very, very great success for our farmers in those areas, and many farmers have been moving away from the board grains because they can make more money by being in the other grains.

Those farmers who argue against free marketing must remember that nobody is taking away the Wheat Board. It will be there for the farmers who feel confident in using it, and this government has no designs on getting rid of it. We are cognizant of the fact that many Albertans use and enjoy the services, and we are not aiming to take those services away.

Mr. Speaker, I don't ever want to see the day when this government is forced to set a date for the establishment of this trial market. I want to see the day when the Canadian Wheat Board, or at least the federal government, agreeably relinquishes the monopoly and allows us to do this. I want to see a day when the federal government and the provincial government work together to create the 10-year test market. Then I want to see the day when our farmers show the politicians in Ottawa and the Canadian Wheat Board just how successful they will be when allowed to market their own grains.

I urge all members to support this legislation. Let's show the Canadian Wheat Board and the federal government that we stand behind our farmers here in Alberta.

Thank you, Mr. Speaker.

I'd like to adjourn debate on this bill at this time.

[Motion to adjourn debate carried]

The Deputy Speaker: The hon. Deputy Government House Leader.

Mr. Stevens: Thank you, Mr. Speaker. I move that we call it 5:30 and that we adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:26 p.m.]

