

Legislative Assembly of Alberta

Title: **Wednesday, April 12, 2000**

1:30 p.m.

Date: 00/04/12

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

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

Amen.

Please be seated.

head: Introduction of Visitors

MRS. McCLELLAN: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly His Excellency Mr. Green Josiah, high commissioner for the Republic of Kenya. Accompanying His Excellency is his wife, Mrs. Anne Josiah. This is the ambassador's first official visit to Alberta since his appointment last December, and we're very pleased to welcome him and his wife to our province. Kenya, as members would know, is a Commonwealth nation in east Africa with deeply rooted traditions, a diverse landscape, and rich ecosystems unique to the world.

We had an opportunity over lunch to discuss opportunities for co-operation between our province and the Republic of Kenya, and we're very interested in having His Excellency and his wife return to our province very soon. We are very pleased that they've come to Alberta. We want to wish them a very productive and a very enjoyable stay in our province. Mr. Speaker, I would ask that they now rise and receive the very warm and traditional welcome of this Assembly.

head: Presenting Petitions

THE SPEAKER: Hon. members, we seem to have a list today.

MRS. MacBETH: Mr. Speaker, I'm pleased to present a petition to urge the provincial "government to stop promoting private health care and undermining [the] public health care [system]." It is from citizens in Lethbridge, Medicine Hat, Picture Butte, and Coaldale. I would ask that it be presented at this time.

THE SPEAKER: We'll come to that a little later.

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have a very interesting petition this afternoon. It is signed by 268 individuals from Redwater, Spruce Grove, and Edmonton. This petition reads:

We the undersigned citizens of Alberta petition the Government of Alberta to withdraw Bill 11. We strongly oppose the use of For-Profit firms to provide health care. We request that all additional health care funding be directly invested to expand our existing Public Health Care system. All Albertans have a right to equal and affordable access to Health Care.

Thank you, Mr. Speaker.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, have a petition signed by 266 people from Edmonton, Sherwood Park, St. Albert,

Cardiff, Ardrossan, Lamont, Mundare, Two Hills, Chipman, Tofield, Morinville, and Ashmont. They are urging the Legislative Assembly "to urge the government to stop promoting private health care and undermining public health care."

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased today to rise and table a petition that has been signed by 234 citizens in Alberta from the communities of Spruce Grove, Sherwood Park, St. Albert, Leduc, Camrose, Plamondon, Hay Lakes, Busby, Bittern Lake, and the city of Edmonton. They "petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care."

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

MR. WICKMAN: Thank you, Mr. Speaker. I have a petition with 80 Albertans signing it from Vermilion, Mannville, Minburn, Elk Point, Hanna, Dewberry and the petition reads:

We, the undersigned the citizens of Alberta, strongly oppose the privatization of health care services in Alberta. We do not wish to see for-profit services used in our health care because we believe that this will lead to a two-tier system. We call for funding to be restored by the Provincial Government to public health care to reduce the current long waiting lists.

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

DR. PANNU: Thank you, Mr. Speaker. I have a petition to table today signed by 511 Albertans from seven different communities across the province including Valleyview, Sunset House, Grande Prairie, New Fish Creek, Beaverlodge, Little Smoky, Calgary, Sherwood Park, Alberta Beach, Gibbons, Clyde, Ardrossan, High Prairie, Spruce Grove, Coronation, St. Albert, and Leduc. This brings the total number to over 13,000 today.

Thank you.

head: Reading and Receiving Petitions

THE SPEAKER: Once again, hon. members, there is a list here.

MRS. MacBETH: Mr. Speaker, I ask that the petition standing in my name on the Order Paper now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care.

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased to rise today and ask that the petition tabled under my name yesterday now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care.

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

MR. DICKSON: Thank you, Mr. Speaker. I would ask that the petition introduced on April 11 with respect to concerns about private health care now be read and received, please.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MS LEIBOVICI: Thank you, Mr. Speaker. It gives me great pleasure this afternoon to ask that the petition that's on the Order Paper in my name now be read and received. It's the one dealing with promoting private, for-profit health care in this province.

Thank you.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MR. WICKMAN: Thank you, Mr. Speaker. I would request that the petition I tabled yesterday from Albertans opposing the privatization of health care now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

DR. PANNU: Thank you, Mr. Speaker. I request that the two petitions I presented yesterday now be read and received.

THE CLERK:

We the undersigned residents of the province of Alberta hereby petition the Legislative Assembly of Alberta to pass a Bill banning private for-profit hospitals in Alberta so that the integrity of the public, universal health care system may be maintained.

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

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

MS BLAKEMAN: Thank you, Mr. Speaker. I would ask that the petition I presented on April 11 signed by 264 Albertans opposing private health care now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care.

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

DR. MASSEY: Thank you, Mr. Speaker. May I request that the petition I presented on April 11 asking that the government stop promoting private health care now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would ask that the petition I presented regarding the undermining of public health care in this province and people's concerns about it now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

1:40

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

MR. BONNER: Thank you, Mr. Speaker. I would ask that the petition standing under my name on the Order Paper regarding concerns for our public health care system now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MS CARLSON: Thank you, Mr. Speaker. I would ask that the petition I presented yesterday in support of public health care now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MR. WHITE: Thank you, Mr. Speaker. I rise to respectfully request that the petition I tabled yesterday, the 11th of April, be now read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to stop promoting private health care and undermining public health care.

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

MR. GIBBONS: Thank you, Mr. Speaker. I'd ask that the petition with respect to public health care that I introduced yesterday now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, wish that the petition I presented yesterday signed by 239 Albertans requesting that the promotion of private health care and the undermining of public health care be stopped now be read and received.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

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

MR. MacDONALD: Thank you, Mr. Speaker. On Tuesday, April 11, I presented two petitions to the Legislative Assembly. The first was from 257 individuals from Edson and Sangudo, and the second was from 396 constituents of Edmonton-Gold Bar. If these two petitions could now be read and received, I would be grateful.

Thank you.

THE CLERK:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government of Alberta to stop promoting private health care and undermining public health care.

head: Tabling Returns and Reports

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

MR. HANCOCK: Thank you, Mr. Speaker. It is my pleasure today to file with the Assembly copies of a letter of congratulations sent by the Premier earlier today to Stacy Schiff. Ms Schiff is an Edmonton-based writer who yesterday was named the recipient of the prestigious Pulitzer Prize for literature for her biography entitled *Vera*.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's with pleasure that I table today in the House the Alberta Alcohol and Drug Abuse Commission business plan for the years 2000 through 2003. AADAC, of course, is a provincial agency within Alberta Health and Wellness. In tabling these five copies of the business plan today, I want to acknowledge the sincere and hard work of the chair of the commission, the hon. Member for Wetaskiwin-Camrose, and the dedication and expertise of commission staff and their CEO in serving the citizens of this great province through their important work in treating and preventing addiction-related problems.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. Today I would like to table five copies of Court Reporters' Brief from April 2000. It was prepared by a number of the court reporters in the attempt to support the position they have taken with respect to court reporters being taken out of the courtroom. Along with that, I would ask that this synopsis and briefing be sent to the Minister of Justice on their behalf.

Thank you.

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'd like to table five copies of a brochure that was distributed to the constituents of Edmonton-Centre, encouraging them to get more information on Bill 11 by reading, watching the televised debate, and checking *Hansard*.

Thank you very much.

MR. WICKMAN: Mr. Speaker, I have three tablings today in opposition to Bill 11 from Darrel Runka, Linda Thomsen, and Joshua Stuart. Appropriate copies will be tabled.

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

MS CARLSON: Thank you, Mr. Speaker. I have three tablings today. The first is from Stephen Bown and Nicky Brink. They are opposed to the proposed development in Kananaskis, and they're sending their letter to the Premier.

The second tabling is from Michael White from Calgary. He is also opposed to any additional development in the Spray Valley area of Kananaskis County, and he is sending his letter to the Premier.

The third tabling I have today is from Lisa Downing, who states a number of facts about why any further development in Kananaskis Country should be stopped. Her letter is also to the Premier.

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

MR. MacDONALD: Thank you, Mr. Speaker. I'm tabling a document on behalf of Gwyneth Foster-Newell and Dan Newell on 94th Avenue in the constituency of Edmonton-Gold Bar. This is a simple reflection of their opposition to Bill 11.

Thank you.

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

MR. GIBBONS: Thank you, Mr. Speaker. I have two tablings today, both to the Premier of the province. One is from a lady down in Strathmore, Ms Martineau. It's concerned with the development of the Kananaskis Valley.

The other one is from Elise Parker, with great concerns about the development in Kananaskis Country.

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

MR. WHITE: Thank you, Mr. Speaker. I, too, have three tablings. All three are diametrically opposed to the proposed Genesis development in the Spray Valley and Kananaskis Country. The first is a letter to the Premier from Emma Hannah of Canmore. Her particular and special interest is the habitat of grizzlies and wolves.

The second is from Gail Boehm from Calgary. Her particular interest is that she is a backcountry hiker and skier and is diametrically opposed to the development.

The third is from Jennifer Thornton from Canmore, again. She wishes an immediate stop to the future development.

Thank you, sir.

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

MR. DICKSON: Thank you, Mr. Speaker. I have three brief tablings. The first one is an excerpt from the report of the Canadian Institute for Health Information showing provincial health care expenditures on hospitals declining by 27 percent between 1992 and 1995.

The second one is a summary and brief analysis of Bill 11 second reading debate from Tuesday, April 11.

The final thing is a list of the 48 government members that have not yet spoken at second reading on Bill 11.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I have three tablings today, all expressing opposition to Bill 11. The first one is a letter from Genevieve Thurlow, a constituent of Calgary-Egmont. She presents an extended analysis of reasons to oppose Bill 11.

The second one is a letter from Margaret Zyla from Calgary, again expressing detailed concerns about Bill 11.

The third one, Mr. Speaker, is a 25-page document written by Blair McPherson, and the title is *The Real Reason for Stamping on Bill 11*.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I have three tablings today. The first two are to the Premier from Terry Forkheim and Dale Hughes. They are opposing the development of a heli-skiing operation and four-season resort in the Spray Valley.

My last tabling today, Mr. Speaker, is to the director of environmental assessment from Shirley Marsh. Again, she is urging the government to stop the development of a heli-skiing operation and four-season resort in the Spray Valley.

Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I, too, have two letters with the appropriate copies regarding concerns and people expressing that they do not want any more development in the Spray Lakes area, Kananaskis Country. They are from Gisele Villeneuve and Martine Wilson.

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

MRS. MacBETH: Thank you, Mr. Speaker. I would like to table what's called a petition, but it isn't in the natural framework. It's from a group of Edmontonians who are Francophone. It says:

Nous les soussignes, citoyens de l'Alberta, petitionnons L'Assemblée Legislative de rejeter tout changement dans la législation gouvernant les soins de sante presentement fourni par le systeme public qui voudrait transferer ces services a des organisations a buts lucratifs.

[Translation] We the undersigned citizens of Alberta petition the Legislative Assembly to reject any change in the health services legislation that would use private for profit organizations to deliver health care services currently provided by the public system. [as submitted]

Merci.

1:50

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased today to rise and table the required number of copies of correspondence from three citizens who are writing with concerns with respect to the Genesis Land Development in the Spray Valley. To summarize their concerns and expedite the tabling, they raise concerns about power generation, the impact on wildlife, road upgrades and who would be responsible for costs, water quality downstream in Canmore, and the cumulative impact of this development.

Thank you.

head: Introduction of Guests

THE SPEAKER: The hon. Minister of Economic Development.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I wish to introduce to you and through you to members of the Assembly Timothy and Jeff Duncan, two Mount Royal College students who happen to live in my constituency. I am happy to say that years ago Tim was involved in my campaign. He's actually much bigger now. They are seated in the members' gallery. I would ask that they stand and receive the warm traditional welcome of the House.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. On your behalf I'm pleased to introduce to you and through you to members of the Assembly six former pages of this Alberta Legislative Assembly. They are seated in your gallery this afternoon. Jonathan Seinen served as Speaker's page from August of '96 to December of '98, along with former pages Maria Yu, who served from January of '98 to May of '99; Ashley Rose, who served from April of '98 to December of '99; Sana Siddiqui, who served from November of '98 to December of '98; Robin Wilson, who served from November of '98 to April of '99; and Erin Martin, who served from February of '99 to December of '99. Accompanying former page Ashley Rose is her mother, Sharyn Rose.

We are pleased that they are able to view this Assembly from a different perspective. I would ask them now to rise and receive the warm traditional welcome of the Assembly.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. TRYNCHY: Thank you, Mr. Speaker. On your behalf I would like to introduce to the Legislative Assembly this afternoon 13 grades 5 and 6 students from the Meadowview school. The school has students from your constituency and also some from my constituency. They're seated in the members' gallery. They're accompanied by teachers Jeanette Shipton, Anita Sherwood, Lorraine Bartholow, and, I believe, Rose Phillips. I would ask them to rise and receive the warm welcome of this Assembly.

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

MR. HLADY: Thank you, Mr. Speaker. It's a great privilege to rise and introduce to you and through you to members of the Assembly three people who work very hard for the province and people of Alberta: Danielle Brezina, John Nichol, and Dick Batten. They're up from Calgary today. They all work with the Alberta Energy and Utilities Board, and they've been extremely helpful to work with in regards to drafting and making Bill 13 happen. I'd ask them to please rise and receive the warm welcome of the Assembly.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. With your permission I have two introductions to make today. First of all, I'd like to introduce 50 very special guests, 50 examples of our most precious resource. They are students from Minchau school in my constituency who are accompanied by teachers and group leaders Laurel Chomyc of Shumka Dancers fame; Teresa O'Neill; and helpers Donna Graham and Anna Stevenson. I would ask all of them to please rise and receive the very warm welcome of this Assembly.

Mr. Speaker, it's also a great pleasure for me to introduce to you and through you to everyone in attendance Ms Paddy Meade, the chief executive officer of the Alberta Alcohol and Drug Abuse Commission. AADAC, as you know, is a major provincial resource

in providing addictions expertise and in serving as a focus for substance abuse and gambling-related services. The commission is also a very major contributor to cross-government initiatives, including the Alberta children's initiative. Paddy is seated in the members' gallery. I'd ask that she rise and receive the very warm welcome of our members.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It's a great privilege today to introduce to you 14 students from Rosemary, Alberta. They're accompanied by Mr. David Blumell. I'd like to draw the Assembly's attention to something very special. This will be about the ninth or 10th year in a row that Mr. Blumell has brought students from Rosemary school to the Legislature. Considering how far Rosemary is from Edmonton, I think that's a great honour. Accompanying David and the students are Mrs. Valerie Watson and Mrs. Lenora Dyck. I would ask them all to rise and receive the warm welcome of the Legislative Assembly.

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased today to rise and introduce a young student who is visiting the Legislature for the first time. She is also an excellent defenceman on the Edmonton Girls Hockey Association Shooting Stars, who won the playoffs for their division in Edmonton this spring. I would ask Melissa Stevenson to rise and receive the warm welcome of this Assembly.

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

MS OLSEN: Thank you, Mr. Speaker. I thought you were playing hard to get today.

I have three introductions. My first is 32 students from Delton elementary school with teachers Mrs. Kathy LeBlanc and Mrs. Michelle Korchinski and parent helper Mrs. Williams. I would ask that they all rise and receive the warm welcome of the Assembly.

I would also like to introduce to you and through you Ms Deirdre Crandall. She is the vice-president of the Highlands constituency association and has a long involvement in Liberal politics in Edmonton East and Edmonton Highlands. If she would rise to receive the warm welcome of the Assembly.

My final introduction, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly court reporters who were very instrumental in preparing the documentation for the Minister of Justice today: Sandy Dowhaniuk, Brenda Fusco, Shanane Clark, Joyce Lopatka, Michelle Fradette, and AUPE representatives President Dan MacLennan, Lynne Gingras, and Mike Boyle. If they would please rise and receive the warm welcome of the Assembly.

Thank you.

head: Oral Question Period

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

Free Votes

MRS. MacBETH: Thank you, Mr. Speaker. On March 8, 1995, the Premier said in this Chamber:

One of the beautiful things about a free vote in the Legislature is that the leader of the government and the Leader of the Opposition are just part of the Assembly. They are no more, and they are no less. I would hope that that would be the spirit that the hon. leader of the

Liberal opposition would adopt when we enter into this very important phase of legislative democracy.

My question is to the Premier. Why has he changed his mind about free votes?

MR. KLEIN: Mr. Speaker, I haven't changed my mind vis-a-vis free votes. As a matter of fact, we've had more free votes since 1995 than in any other period in the history of this Legislature as it relates to private members' bills.

To speak to the issue of democracy – and I'm glad that the hon. leader of the Liberal opposition has brought it up – I would have the hon. Minister of Justice and Attorney General and Government House Leader talk about democracy.

2:00

MR. HANCOCK: Well, thank you, Mr. Speaker. It's an interesting question that's been raised because, of course, since 1993 and the rule changes, private members' day – and today, Wednesday, is a private members' day – more private members' bills have been passed in this House than in any other Legislature that I'm aware of in the parliamentary Commonwealth system.

It's important to note that members vote on a free basis on private members' bills in this House, and Mr. Speaker, it's important to note . . .

MRS. SOETAERT: How many closures?

MR. HANCOCK: I hear the opposition yelling "closures." The debate on private members' bills is time-limited debate. We get two hours of debate at second reading on a private member's bill, and those bills can be as important in terms that they become law when they're passed by this Assembly. That's the democracy as we know it in Alberta. Every member of this House has an opportunity to bring forward a private member's bill and have it debated. Those private members' bills at second reading, at Committee of the Whole, and at third reading are subject to closure, as the opposition defines it, because it's time-limited debate by our Standing Orders.

That's democracy in Alberta. That's the democracy we operate by. Private members have the opportunity in this province to make law. We've seen it made, and we've seen it made in this province more often than in any other parliamentary democracy that I'm aware of.

Speaker's Ruling Decorum

THE SPEAKER: Hon. Leader of the Official Opposition, the first question had to do with free votes, and one of the time-honoured traditions of this Assembly is also free speech. That means that when an individual is recognized, other members have their freedom to listen to that particular individual and not interfere with them.

Today is one of those unique days in which we have a whole series of young people from around the province of Alberta in our galleries, and a number that I had an opportunity to meet a little earlier. I in fact extolled to them that one of the things we have in this Assembly is something called decorum, and when one hon. member is recognized, all other hon. members listen. So let's see if we can actually put that into practice, all members. That would be very useful, quite frankly.

Free Votes (continued)

MRS. MacBETH: Mr. Speaker, maybe the Government House Leader didn't get enough sleep last night. We're talking about government bills, not private members' bills.

Given that 56 percent of Albertans in the latest poll oppose this government's private health care policy, why won't the Premier let his MLAs reflect that reality in their positions in this Legislature through a free vote?

MR. KLEIN: Mr. Speaker, there is no private health care policy in question. Therefore, the issue is irrelevant. Relative to the democratic processes that relate to government bills, again I will have the Government House Leader stand up and explain the rules of democracy to the Leader of the Official Opposition. Obviously she doesn't understand them, never has understood them, and still doesn't understand them today. So I'll have the hon. minister give her a clinic.

MR. HANCOCK: Thank you, Mr. Speaker. In responding to that, I just want to correct one of the statements that was made. The hon. Leader of the Opposition indicates that for some reason government bills are more important than private members' bills. Indeed, the government agenda is an important agenda, but every bill passed by this House becomes the law of the province of Alberta. Private members' bills come forward – and the hon. leader is sponsoring one, I think, this afternoon. If it passes, it becomes the law of the province of Alberta, and it's dealt with in time-limited debate under the Standing Orders of this House, two hours of debate before we vote.

It seems to me that as of last night there were some 1,100 minutes of debate on another bill before this House, 1,100 minutes. Under the Standing Orders of this House, of course, there's an opportunity to amend bills, and there's an opportunity under the Standing Orders to move the previous question, which was done. The Leader of the Opposition seems to complain that that's not democracy, but those same Standing Orders are the Standing Orders that this House has approved, the Standing Orders that this House operates by, and that is democracy in Alberta.

MRS. MacBETH: Well, Mr. Speaker, let's try it again. Given that two-thirds of Albertans say that amendments of the Premier's private health care policy won't change their minds, why doesn't the Premier just drop his private health care policy altogether and do Albertans a favour?

MR. KLEIN: Mr. Speaker, no. It's the right thing to do. The policy is to protect the public health care system as we see it today. It's to put fences and rules and regulations around something that has existed in this province for many, many years.

Getting back to this issue of democracy, this is a very, very important issue. Some people who were here in the Legislature when this leader of the Liberal opposition was the minister of education recall when she stamped her foot, and she said: I demand that every one in this caucus vote for the School Act; I demand.

Mr. Speaker, relative to the democratic process – and I know that one can only direct a question through parliamentary convention and tradition to a minister. Again, this is a question that has been posed by the hon. leader of the Liberal opposition. She said that there is no unanimity, that we're split. I will ask the hon. Minister of International and Intergovernmental Affairs to respond as to how she feels about the government's health policy.

THE SPEAKER: Actually, we've spent eight minutes on this series of questions.

We'll move along to the second main question. Leader of the Official Opposition.

Foldable Intraocular Lenses

MRS. MacBETH: Thank you, Mr. Speaker. All the polls say that the Premier is in trouble with his private health care policy. Albertans know it. Despite a million dollar advertising campaign with their own tax dollars, Albertans don't trust the Premier, his government, or his policy. But now he's finally spending another \$3 million on upgraded lenses to try and fix the mess that's been created there. In other words, he's doing what he said he wouldn't do and that is to make a political decision to determine medical necessity in this province. My questions are to the Premier. Does the Premier plan to reimburse those Albertans who have paid out-of-pocket for the upgraded lenses up until now?

MR. KLEIN: Mr. Speaker, the hon. Leader of the Official Opposition, when she was minister of health, created the mess. She was the minister of the day who put through the order in council signed by her to allow for enhanced services.

Mr. Speaker, relative to health policy: the bill that is before this Legislature now, I would remind all members, is only one component of a six-point plan.

Relative to what is happening generally I am going to have first the Associate Minister of Health and Wellness speak to this issue, followed by the hon. Minister of Health and Wellness.

MR. ZWOZDESKY: Thank you, Mr. Premier, and thank you, Mr. Speaker. I want to make a quick comment here off the top with respect to foldable lenses. This issue has been under study and under diagnosis, you might say, by this government and also by the medical fraternity in a broader sense for quite some time. We're happy with the very positive results that came out just recently so that we could make this important announcement yesterday, which will see about a \$3 million investment into this area that will tremendously benefit Albertans. Equally important, it will standardize that particular issue, and it will take away any disparities that may have existed.

It's a very positive step, a very warm step for Albertans, and I will assure you that Albertans will be highly in favour of this as they come to know more about it.

MRS. MacBETH: Well, Mr. Speaker, as we know, according to the Lamont hospital the cost of an upgraded lens is about \$117 for that hospital's procedure. The cost at the private clinics ranges anywhere from zero to \$250 to up to \$750 for the same procedure. Can the Premier tell the people of this province and this Assembly what the government is paying for these upgraded lenses?

MR. KLEIN: An interesting question, Mr. Speaker, but first of all, I would like to pose the question. I'm not quite sure where the Liberals stand on this issue. Are they for or against the foldable lenses being covered as an insured service? Would they stand up or will they stand up now and declare where they stand on this particular issue?

Relative to the cost of this particular instrument, this particular device, I'll have the hon. Minister of Health and Wellness respond.

2:10

MR. JONSON: First of all, Mr. Speaker, I would like to suggest that perhaps the next request from across the way will be to reimburse all the Albertans that paid facility fees to clinics under her particular regime.

Mr. Speaker, the cost for a foldable lens is some \$250. The cost for a solid lens or inflexible lens is about \$35, \$37. So in terms of the financial impact, yes, it is a significant financial impact, but we

are following the changing assessment of what is beneficial to individuals in terms of having these lenses. We've adopted coverage for the foldable lens. I might just indicate that in Canada we are among only three provinces, as I understand it, that cover the foldable lens, which is the one that is deemed most beneficial to the patient.

MRS. MacBETH: We'll try again, Mr. Speaker. Given that the contracts that have been amended, obviously to accommodate this new payment scheme, will those contracts now be made public so that the public can see what the government is paying and what the clinics are charging for that procedure and those lenses?

MR. KLEIN: Mr. Speaker, if the Liberals would quit their filibustering, would stop their political nonsense and let us get on with the bill, then we can address the whole conflict of interest situation and the issue of openness and transparency as it relates to contracts, as it relates to folding lenses, as it relates to any other technological advance in medicine.

I'm pleased and very, very proud that we have within this government the Department of Innovation and Science that oversees the Alberta heritage trust for medical research. To talk about some of the marvelous advances that are being made relative to medical research, Mr. Speaker, I'm going to have the hon. minister respond.

THE SPEAKER: I think we've now spent six and a half minutes in this set of questions. There are many members who have questions today.

Third question. The Leader of the Official Opposition.

Conflict-of-Interest Guidelines

MRS. MacBETH: Mr. Speaker, almost daily the Official Opposition has presented very solid evidence on the economic, ethical, social, and business case benefits of public health care. The Premier has not answered the questions about who benefits from his private health care policy. So in reflecting the questions that Albertans have put to us and asked us to raise in the Assembly, will the Premier sign a declaration guaranteeing that he will not benefit from any association with private health care clinics in Alberta for a minimum of 10 years upon his leaving office?

MR. KLEIN: Mr. Speaker, I have never heard such a sleazy question. I mean, this is the height. You know, will this hon. member sign an agreement? She was a consultant after she left as minister of health, went directly into the field of consulting on health care. No one ever posed to her the question: would she refrain for 10 years? That is a disgrace. It's embarrassing.

Relative to economic evidence, there are two ministers involved with the development of economic evidence as it relates to health care. One is the Minister of Innovation and Science, and the other is the Minister of Economic Development. Again, I will have the Minister of Innovation and Science supplement.

MR. HANCOCK: Point of order.

DR. TAYLOR: Thank you, Mr. Speaker. I think we have to recognize in this province that there has been a lot of economic development because of the direct evidence of this government, because this government has recognized the importance of innovation and a knowledge-based economy.

Now, if I could give you just one quick example. A number of years ago the Alberta Heritage Foundation for Medical Research was

established. It is now a one billion dollar fund; a one billion dollar fund. This was done by a Conservative government that has the foreknowledge and the recognition of the importance of a knowledge-based economy, not by the nattering nabobs of negativism opposite, Mr. Speaker.

Let me give you an example of this. We have today a product going to market because of funding from the AHFMR. It was developed by Dr. Patrick Lee at the University of Calgary, and it is a cancer-eating virus. It was developed, it was first announced a little bit . . .

I see you're wanting me shorten up, Mr. Speaker, but this is important that Albertans recognize . . .

THE SPEAKER: Thank you very much. Let's move on.

MRS. MacBETH: Given that there is a current cooling-off period for members of Executive Council, will this Premier amend it to include a cooling-off period with respect to any benefit flowing from association with private clinics? It's the question that Albertans have asked us to raise in this Assembly.

MR. KLEIN: Mr. Speaker, I don't know how long I'm going to be around in this business, but certainly I plan to be around for at least another term.

I see that even the CUPE poll, although they tried to make it as negative as they possibly could, still had us at 40 compared to 24, which is not bad. You know, I like 66 percent a little bit better; I like 72 even a little bit better. We'll get back up there. That's no problem.

So I plan to be around here. I don't plan to get into the medical business, the oil business, whatever business whatsoever. I plan to stick around to represent Albertans and to keep this province strong and proud.

MRS. MacBETH: Mr. Speaker, it's a simple question. Will he amend his conflict-of-interest rules and regulations to provide for the review of the private, for-profit health care and the involvement of his own or any of his ministers in benefiting from those private health care clinics? Will he amend his conflict-of-interest rules and regulations? It's a simple question.

MR. KLEIN: Mr. Speaker, if anyone could have used a cooling-off period, it would have been the leader of the Liberal opposition. This leader, after losing the Conservative leadership, and not very gracefully, mind you, and serving out her time in the backbenches until the next election, went directly into the health consulting field. She had no problems with conflict of interest, no problems using her expertise – well, supposed expertise that she supposedly developed during her term as minister of health – as a consultant. This is the perfect example of the pot calling the kettle black.

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

Magnetic Resonance Imaging

DR. PANNU: Thank you, Mr. Speaker. The government is using health care policy changes as a public relations tool in a desperate attempt to win public support for its for-profit hospitals scheme. After years of turning a blind eye towards them, long-standing problems such as profiteering from the sale of foldable lenses at private eye clinics are finally being addressed.

Yesterday, the Premier told reporters that the government plans to announce a new MRI policy. Pursuant to this soon-to-be-announced

MRI policy, will the government refuse to approve Calgary regional health authorities' proposal to have private MRI clinics contract for public dollars?

MR. KLEIN: Mr. Speaker, I will have the hon. Minister of Health and Wellness respond relative to the MRI situation as it pertains to all of Alberta.

MR. JONSON: Mr. Speaker, our overall initiative through Alberta Health and Wellness as a government has been, yes, for a number of years in our business plans to expand diagnostic services, particularly with CAT scan and MRI technology. There have been several occasions, including the examination of Alberta Health and Wellness' budget, where we have outlined the work that we are steadily doing to expand capacity for the benefit of Albertans in these areas.

I have by way of illustration indicated that over the past year we have added MRI machines, and the services will be shortly in full operation in Lethbridge. The diagnostic equipment is in Red Deer. It is moving towards being operational. Also, work is being done in Grande Prairie where one is planned, and the very beginnings of planning and work is occurring in Medicine Hat. So this initiative on the part of government is not at all new. It is a continuing effort, and we are looking to the advice of our Diagnostic Imaging Advisory Committee to plan further in terms of improving this service in the province.

2:20

DR. PANNU: Thank you, Mr. Speaker. My question again to the Premier: will the government commit today to ending queue-jumping by investing in additional MRI capacity in public facilities rather than choosing to have public money siphoned off by private MRI clinics?

MR. KLEIN: Mr. Speaker, the AMA and all the medical professions agree that within the system there has to be a private/public kind of partnership. The AMA has said that quite clearly. The contracting out has always been part of and always will be a part of the system. What we want to do is to put some rules and regulations around the contracting out as it pertains to surgical procedures.

With respect to MRIs, this, as the hon. member knows, is not covered under the Canada Health Act, and it seems to me that it would be unreasonable for Alberta health to pay for a person who simply wants to get himself or herself checked out. I can guarantee you, and I can tell this hon. member that if a doctor prescribes an MRI, that will be paid for by the publicly funded health care system whether it's in a hospital, Mr. Speaker, or whether it's in a private clinic. It will be paid for if it is prescribed.

If a person, a perfectly healthy person – and I assume that the hon. Member for Edmonton-Strathcona is; he looks very healthy to me. If this hon. member wants to say, “Well, you know, I'm not so sure about myself, and I'd like to go get checked out,” and there's nothing wrong with him and a doctor hasn't prescribed an MRI, then he should pay. Don't you think so? [interjections]

No, you should pay. Oh, you would never use an MRI? Well, okay. Let's hope that you don't get banged up in a car accident, that you don't have a serious illness, and let's hope that your doctor never prescribes an MRI for you, because you know what, sir? One day you might just need one, and you'll be so thankful that you will be able to access that MRI through the publicly funded system.

DR. PANNU: My last question to the Premier, Mr. Speaker: what evidence does the government have that subsidizing private, for-

profit MRI clinics is more cost-effective than adding additional MRI capacity in public facilities?

MR. KLEIN: Mr. Speaker, there is much, much more to MRIs than the so-called socialist approach. There are MRIs in the private sector. I would ask the hon. Minister of Innovation and Science to speak, for instance, to the MRIs, the high-tech MRIs that now exist in public hospitals that are used not just for medical treatment but also for research in a number of fields. There are different uses and different applications of MRIs. This is new and advanced technology, and we want to make sure that we're on the cutting edge and that we have in place the environment to accommodate cutting-edge technology as it relates to MRIs. I'll have the hon. minister respond.

THE SPEAKER: Actually, no; sorry. You've already spent another six and a half to seven minutes. We're moving on.

The hon. Member for Edmonton-Castle Downs.

Private Health Services

MS PAUL: Thank you, Mr. Speaker. Bill 11, the Health Care Protection Act, has been consuming Albertans, union members, health care givers, and the media over the past few months. Published daily in our newspapers, there seems to be endless opposition and distrust with the bill. Uncertainty over the future directions in health care is unsettling to all Albertans and in particular to some of the constituents in Edmonton-Castle Downs. So Bill 11 needs to be amended to alleviate this distrust and uncertainty. My questions are to the Premier. Will the amendments that the government will be introducing during Committee of the Whole alleviate Albertans' distrust and concerns with respect to a number of sections in Bill 11?

Speaker's Ruling Anticipation

THE SPEAKER: Hon. member, we have a debate coming up today. It's clearly on the point. You went specifically to Bill 11. You talked about amendments. That question is clearly out of order, and if your supplementaries are on the same subject, I'm going to rule them out too.

Private Health Services

(continued)

MS PAUL: My first supplementary is also to the Premier. How can Albertans be assured that their public health care system is being safeguarded under this bill when the distrust of the hidden motivations behind the bill have been so forcefully voiced and written?

THE SPEAKER: I'm sorry, hon. Premier. I mean, we're into a debate. Go on to your second supplementary question.

MS PAUL: Thank you. My second supplementary, also to the Premier: will the Premier keep the promise he made to Albertans that they will be electing from the general public two-thirds of the health authority boards in the next election?

MR. KLEIN: Mr. Speaker, yes. Absolutely I will commit. I will absolutely commit that there will be two-thirds of the regional health authorities elected in conjunction with the next municipal elections, which I understand will occur in October of 2001.

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

Catholic School Board Boundaries

MR. BRODA: Thank you, Mr. Speaker. I understand that there is a proposal to expand the boundaries of the Roman Catholic school jurisdictions in the province. Public school boards in my constituency are concerned about losing student funding and school facilities. My question is to the Minister of Learning. What is this proposal all about?

DR. OBERG: Thank you very much, Mr. Speaker, and thank you for that excellent question. Roughly two to three months ago the Alberta Catholic School Trustees' Association presented to me a proposal that would eliminate the need for four-by-four votes. Four-by-four votes are something that have been in the constitution since before the province actually became a province. What happened then in essence is that electorates within a four mile by four mile area had the right to elect a school board. The Alberta Catholic School Trustees' Association – I give them the utmost credit on this – came forward and said that this kind of process is becoming very, very divisive to communities. It's ripping communities apart. There has to be a better way.

The Catholic School Trustees' Association put forward a proposal to the president of the Public School Boards' Association of Alberta and the president of the Alberta School Boards Association. These three people then got together and came up with a very good proposal that they then presented to their constituents. Mr. Speaker, what this proposal entails is that the 16 Catholic jurisdictions would expand their boundaries to encompass all of the province. This would, in essence, eliminate the need for four-by-four votes and hopefully eliminate the need for this divisiveness that occurs within communities.

MR. BRODA: Thank you, Mr. Speaker. My first supplemental to the same minister: could you please tell me what is the status of this proposal?

2:30

DR. OBERG: Mr. Speaker, on March 10 of this year the three presidents, as I alluded to in my first answer, presented this proposal to their constituents. They talked about it. They held information sessions in Calgary and Edmonton, and subsequently what will be occurring is that each school board will be voting tomorrow as to whether or not they feel that this proposal should go forward. If the vote is yes, if the vote is more than 50 percent plus one, if it is very strong – obviously, at 50 percent plus one I will not act – it will come down to putting some legislation before this Assembly.

Mr. Speaker, I think this is something that we all should hope for. We should all hope that that very divisive practice occurring in communities around the province will stop and that we can put some sanity to this whole process.

MR. BRODA: My final supplemental is to the same minister. What will this proposal mean to the public school boards in this province?

DR. OBERG: Thank you again for that excellent question. First of all, Mr. Speaker, what is occurring now is that when a four-by-four votes, the public school board has absolutely no input into it. The only people that can vote on this, the only people who can decide are the Catholic electorate, providing they are a minority within a four-by-four, four-mile by four-mile jurisdiction. The Catholic school board, or the Catholics within that jurisdiction that want that vote can go ahead without talking to anyone.

What is in it for the public school boards is that under the proposal that has been put forward by the president, first of all, there would

be binding arbitration. Second of all, there would be a process that would entitle the public school board within an area to talk to the Catholic school board and come up with some administrative details. For example, what is going to happen to the students in small jurisdictions? If there are only 100 students in a small town, obviously you cannot have two schools or neither school becomes cost-effective, neither school becomes efficient.

So, Mr. Speaker, I believe there's a lot in it for the public school boards. I believe that the public school boards would stand to be the winners in this, because all of a sudden they would have a voice in something that they have never, ever had a voice in before in the past.

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

MLAs' Freedom to Speak and Vote

MR. MacDONALD: Thank you, Mr. Speaker. Not even nine months ago the Associate Minister of Health and Wellness, a truth squad commissar, said, and I quote, we are all responsible to our constituents as MLAs. It doesn't matter what the issue is or if it may be contentious.

My questions this afternoon are for the Premier. Mr. Speaker, why is this Premier preventing his MLAs from fulfilling their responsibilities to their constituents by closing off free speech and denying them their democratic right to vote freely?

Speaker's Ruling Intimidation and Threats

THE SPEAKER: Hon. members, we had a series of questions in this particular vein here today, but I want to make it very, very clear that in this Assembly there is absolutely no intimidation. There is no threat. Members can freely come to this Assembly uninterrupted by anyone, are protected by the traditions of parliaments in this Assembly, will have the protection of the chair to make sure that absolutely nothing interferes with their right to do what their responsibility is.

This chair will follow the traditions found in the British parliamentary system of government and, if a vote is called on any item, will ensure that any hon. member can stand in his or her place and vote with his or her conscience. If this Speaker is informed by any hon. member in this Assembly that there is intimidation or threats or any other type of mechanism used to interfere with their right to function as a member in this democracy, then this Speaker will use all the weaponry within his authority as Speaker to deal with that matter.

Now, this chair will also accept points of order or points of privilege if any member in this Assembly feels that their integrity is being threatened with anything stated in this House by any other member.

So, hon. member, you proceed with your supplementary in the tradition of the parliaments to which we belong.

MLAs' Freedom to Speak and Vote

(continued)

MR. MacDONALD: Thank you, Mr. Speaker. My next question is to the Premier also. Given that the hon. Member for Red Deer-North is parading around this country holding out democratic responsibility and the virtues of free votes as ideals, why is this Premier and his government making a mockery of the former Treasurer by invoking closure and denying MLAs their rights in this Legislative Assembly?

MR. KLEIN: Mr. Speaker, as I pointed out before, we have had more free votes on private members' bills in this Legislature since 1995 than ever in the history of this Legislature. That is democracy. But when they talk about democracy over there in the Liberal Party, there are three proud members now of the Conservative Party who used to be Liberals. They crossed the floor because there was no democracy in that caucus, they couldn't express their feelings, they couldn't vote the way they wanted to vote, they had to stay to the script. They're over here with this party because they want to know what democracy is all about. That's why they left.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is also to the Premier. Given that the majority of citizens in northern Alberta oppose the Premier's private health care policy, are the demands of the private hospital lobby so strong that the Premier is willing to sacrifice government MLAs by denying them the right to speak freely and vote the will of their constituents?

MR. KLEIN: Mr. Speaker, first of all, there is no private health care policy.

THE SPEAKER: Hon. Premier, I'm going to recognize the hon. Member for Grande Prairie-Wapiti. I presume it's a point of order you want to raise?

MR. JACQUES: Thank you.

THE SPEAKER: It'll be dealt with at the conclusion of question period.

MR. JACQUES: Thank you, sir.

THE SPEAKER: Fine. Thank you. The hon. the Premier.

MR. DICKSON: I'm raising a point of order as well, Mr. Speaker.

THE SPEAKER: Two points of order. The hon. the Premier.

MR. KLEIN: Mr. Speaker, this caucus is the epitome of democracy. I'm going to be honest and frank and share some happenings within our caucus. I know that this is a departure, but when we were discussing the health care policy as it relates to the bill, I asked the whip to exclude me from the meeting because I wanted caucus members – I'm proud of every one of them – to be able to sit around the table and to decide for themselves, without any influence from myself, as to where they felt they should stand on this bill. I understand that with myself out of the room the opinion was unanimous and the caucus was unanimous in their support for this bill. That is democracy. That is democracy. That is something that is so unfamiliar to the Liberals. They have no concept of democracy, but I'm going to have my hon. friend, the Government House Leader and the Minister of Justice and Attorney General stand up and give them a little clinic on what democracy is all about.

Speaker's Ruling Questions about Caucus Activity

THE SPEAKER: Please, please, please. Hon. members, I'm really bothered by the tone of what's going on in here. First of all, there's absolutely no requirement by any leader of the government to have to explain to anyone what goes on in the caucus in which he is a member. That is not the business of this House. That is not government policy.

Secondly, the type of question which may provide for aspiration

with respect to purported intimidation or the like – we have one point of order that we'll deal with later in the afternoon, but this is a matter that I believe almost verges on the question of privilege. If there are suggestions being made that hon. members are, quote, being intimidated or pressured or anything else, then I want those hon. members to either rise in this House on a point or alert me later this afternoon that such a thing is happening because I would want to deal with each and every one of those cases and make sure that that will not happen in this particular Assembly.

Now, we're moving on. There are other members here this afternoon that want to participate, and I'm now recognizing the hon. Member for Calgary-West.

2:40

Day Care System

MS KRYCZKA: Thank you, Mr. Speaker. I have recently either met with or heard from a number of constituents who have a business in the child care field. I have learned that there are a number of issues in day care regarding accessibility, staff wages, and retention. My question is for the Minister of Children's Services. Has the elimination of the day care operating allowance affected the ability of families to access child care?

MS EVANS: Mr. Speaker, it's just one year ago April 1 of this year that the child care subsidy program came into our province as a result of my predecessor's actions. It has done a number of things. First of all, it has increased the number of families and children who have been supported by the subsidy program. Some 23,000 children are currently receiving subsidies at a rate of about \$350 per child.

Secondly, the qualifications for income increased so that if two wage earners were earning less than a certain threshold, they could qualify for day care and support in either qualified day care establishments or family day homes. As a result of this, Mr. Speaker, we're very satisfied that more children in Alberta are receiving regulated, good quality day care.

MS KRYCZKA: Thank you. Mr. Speaker, my first supplemental is also to the Minister of Children's Services. Parents and day care operators are concerned about maintaining quality care as there is high staff turnover. Can the minister tell us what is being done to address this issue?

MS EVANS: Mr. Speaker, we are concerned about the retention of staff in day care. There are two things that I think are important to note. Number one, for level 1, basic orientation of day care workers, our department has contracts with colleges in the province, and day care operators on behalf of their staff simply need to apply for their staff to come and take that basic orientation or training. It can take three to six weeks. It's approximately 50 hours. We expend anywhere up to \$370,000 annually in support of those operators and those day cares.

Secondly, Mr. Speaker, we're looking at both long- and short-term solutions. We will be bringing to the standing policy committee some discussion about some options that are available. Many of the day cares also have advised me that they are very satisfied that they can work with those subsidy programs and with the families and in fact feel that they are well on their way to supporting their staff in the manner in which we would hope that it would happen.

MS KRYCZKA: Thank you. Mr. Speaker, my second supplemental is to the Minister of Learning. How will we ensure enough qualified day care workers across Alberta when tuition is rising and enrollments in day care training programs are declining?

DR. OBERG: Thank you very much, Mr. Speaker. As the hon. Minister of Children's Services already alluded to, a level 1 certificate, which is all that is needed to work in a day care, takes roughly a 50-hour course. The department of child and family services pays for that. If you as a student want to take the level 1 day care course, you just go and request that from your child and family services authorities. To receive a level 2 or level 3, which is required for an operating manager or an owner of a day care, then there is other training required.

Mr. Speaker, the interesting part about the enrollment issue is that we really have not seen declining enrollments in early childhood services. At Mount Royal College, for example, the enrollment has been roughly 2,300 to 2,700 consistently over the last five or six years. We are not seeing a decline in that enrollment. With regards to tuition fees, the tuition fees are roughly \$2,400 for a course, but interestingly, again we have not seen a decline in enrollment in that particular service.

Mr. Speaker, obviously this government is worried about qualified day care personnel. We are attempting to ensure that there are qualified day care personnel, and obviously it is a very high priority for us. I feel that we are giving our students the opportunity to be educated in the very important, very critical work of day care.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Peace River.

Private Health Services

(continued)

MR. DICKSON: Thanks very much, Mr. Speaker. The Premier has access to the Public Affairs Bureau, with a budget of about \$8 million, but when it comes to selling private health care, it's just not getting the job done. Each new petition, new fax, new e-mail, each new letter, phone call, town hall meeting against the private hospital scheme shows that Albertans will not be manipulated by the chicanery of this government. Yesterday the Official Opposition provided a full and complete accounting to the penny of the costs that we have incurred to protect medicare. The Premier and his government, however, have failed to reveal the true costs of their propaganda campaign. So my question to the Acting Premier this afternoon is: why should Albertans believe the Premier's promises on health care when his government continues to hide the full cost of the multimillion-dollar, taxpayer supported campaign?

MRS. McCLELLAN: Mr. Speaker, as the hon. member fully knows, the government cannot hide expenditures at all. One, they will all be accounted for in the accounting of whatever department they're incurred in. Secondly, at a committee called Public Accounts, which I believe is chaired by one of the Liberal opposition, there is an opportunity for at least two hours – I spent some time in that committee about two Wednesdays ago – where you can go into detail on every expenditure made in your department. You have two full hours to do that in Public Accounts.

As well, as I explained, we have a process where at the end of the year the accounts will be made available to Albertans. Mr. Speaker, interestingly enough, Albertans have been very pleased with the accounting they've gotten in the last years from this government. Rather than showing huge deficits and debts, they are showing balanced budgets and surpluses and a sustainable way to maintain our health care and our school system, which was not there in the time of the leader of the Liberal opposition.

MR. DICKSON: Mr. Speaker, given that information delayed is

information denied, why should Albertans have to wait for two years, under the process the minister suggests, to get access to the receipts, the invoices, the true cost of our government's expenses to try and sell us a private health care policy we don't want in the first place?

MRS. McCLELLAN: Well, Mr. Speaker, that's interesting, and as usual there's an assumption made by the opposition, which has been the method used in this whole debate. Rather than clarity and facts, it has been assumptions and innuendo.

One, the debate on Bill 11 is not concluded. I don't think the opposition have finished their discussion, because I hear new things daily. I doubt that they were in those receipts.

Secondly, there is an opportunity for FOIP in this Legislature. The opposition should know about it because it is my understanding that they are the biggest user of it, and taxpayers' money might be paid to access that.

MR. DICKSON: Mr. Speaker, my question is back to the minister. Never mind FOIP; never mind Public Accounts two years from now. Why won't you provide us the receipts right now so that Albertans can see that information while we're debating and voting on Bill 11? That's what it's all about.

MRS. McCLELLAN: Again, Mr. Speaker, why doesn't the opposition pay attention to what occurs in this Assembly? That would be a good question. That would be a very good question. In fact, some days ago, maybe weeks ago, in this Legislature was tabled an accounting of the expenditures, and I believe it came to \$1.2 million that had been spent on those communications.

Is it any wonder that this opposition doesn't know what's contained in Bill 11 when they don't know what's occurring in this Legislature on a day-to-day basis? Unless that tabling maybe got mixed up in the multitude of tablings that they do in each and every session.

head: Reading and Receiving Petitions

THE SPEAKER: Hon. members, in about a minute from now we'll call on the first of five members to participate in Recognitions.

The hon. Member for West Yellowhead.

2:50

Edson Mohawk Bantam Warriors

MR. STRANG: Thank you, Mr. Speaker. I rise today to recognize members of the Edson Mohawk Bantam Warriors. The team very successfully competed in the recent Alberta provincial bantam A championships, held in Medicine Hat during the weekend of March 17, and brought home the silver medal. These young Albertans are 14 to 15 years of age. Their passion for our national sport of hockey is evident in their commitment and dedication to the game and to their teammates.

I also recognize coaches Clarence Wanchulak, Dave Stewart, and Bill Taylor, the sponsors, the parents, and the fans for the support, time, expertise, and encouragement they provided to the members of the Warriors team.

Mr. Speaker, the citizens of West Yellowhead are indeed proud of these young ambassadors representing our region. I would ask all members of the Assembly to join me in extending our congratulations and best wishes to the team's members.

Thank you.

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

Racial Discrimination

MR. DICKSON: Thank you very much, Mr. Speaker. In the short time I've got, I wanted to acknowledge the range of concerns I hear from the multicultural community in downtown Calgary. I think my constituency is home to perhaps the largest number of recent immigrants of most of the constituencies in this province. There were three studies that were done last year under the auspices of the Alberta Human Rights and Citizenship Commission, and there was an identification of some major issues, with a much smaller number of complaints in the area of racial discrimination than the numbers and the statistics warranted.

We know that racial discrimination continues to be a significant problem. I'll speak in terms of the city of Calgary, but I have no doubt it exists in other parts of the province. Mr. Speaker, groups continue to want to see a more aggressive stance taken by the Alberta Human Rights and Citizenship Commission. There's ongoing concern that we're not seeing a more focused approach in that respect.

Thank you.

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

Lo-Se-Ca Foundation

MRS. O'NEILL: Thank you, Mr. Speaker. In St. Albert we have a nonprofit organization called Lo-Se-Ca. The name stands for love, serve, and care. In their mission statement they state that this association

is dedicated to advocating for and improving the quality of life of persons with disabilities and their families by providing residential and other support services that enhance human well-being.

The Lo-Se-Ca Foundation opened its inaugural group home in 1992. This year they are beginning to celebrate their 10th year of operation and of giving to our community. Currently Lo-Se-Ca has a volunteer base of approximately 160 volunteers. In their vision statement they state that they vision "that all persons with disabilities shall have their individual needs supported so that their potential can be realized." They believe that "all people are entitled to live with dignity in the community." Today I wish to recognize their sterling efforts.

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

Volunteer Week

DR. PANNU: Thank you, Mr. Speaker. This week we celebrate volunteers. We acknowledge and thank those who give their unpaid time and energy to helping out. Edmonton, as you know, has been applauded for having a very high number of volunteers who give their time in a variety of capacities.

I'm particularly pleased to recognize the following generous men and women who assist me and my staff on a daily basis. We could not do what we do without them. They are Chuck Chamberlin, Merrill Stewart, Bill Kobluk, Alex McEachern, Irene Payne, Jean and Merv Rogers, Amy Poon, and Cesar Faundez. We owe them a lot, and I take this opportunity to express our thanks and personal gratitude to them all. Kudos to them and to all volunteers in Alberta.

Thank you, Mr. Speaker.

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

Friends of Medicare

MS LEIBOVICI: Thank you, Mr. Speaker. I'd like this afternoon to

recognize yet again the Friends of Medicare, who are dedicated individuals and volunteers, for supporting and promoting our public health care system. What they will be doing this weekend is putting on a rally in Calgary on Saturday and in Edmonton on Sunday. I urge all of the MLAs and Albertans who are able to come to this particular rally to make a point to come and to hear what some of the speakers will be providing.

In Calgary one of the speakers, it's my understanding, will be Dr. Harold Swanson. In Edmonton we will have Shirley Douglas and her son Kiefer Sutherland, who I am sure most people will want to come and meet, as well as Mel Hurtig. Entertainment will be provided.

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

Point of Order

Allegations against a Member

MR. HANCOCK: Thank you, Mr. Speaker. I'm rising under 23(h) and (j) and under *Beauchesne* 101. During the question period the hon. Leader of the Opposition in I believe her first main question made the innuendo that the Premier of this province might profit from a policy of the government. Now, I'm saying that that's an allegation against the Premier. What the Leader of the Opposition did was the lowest form of low. It's a drive-by shooting. It's a smear by any other name, and it was purposely done for that effect. It was low, unwarranted, uncalled for, and unparliamentary.

Knowing full well, of course, that we have an officer of this House, the conflict of interest commissioner, who monitors an act of this House, the Conflicts of Interest Act, which provides for the rules with respect to disengagement once you leave this House and provides for the rules under conflicts of interest, and knowing that at common law in this province there are conflict of interest provisions that one should not benefit from what they do under a fiduciary duty to the people of this province, knowing all of that, in a forum where one cannot properly defend himself against that type of innuendo and that type of smear, she raised a question purposely designed – purposely designed – to raise in the minds of the people of Alberta that a member of this Legislature might benefit personally and financially from doing their public duty once they left office.

Mr. Speaker, it's almost a point of privilege. It probably should have been raised as a point of privilege. Certainly it's offensive to the rules of this House. It's offensive to the members of this House. It's certainly offensive to the Premier and offensive to Albertans.

THE SPEAKER: The hon. House leader of the Official Opposition on this point.

MR. DICKSON: Mr. Speaker, what I recall was a reference to the Conflicts of Interest Act. We have legislation in this province that accepts . . . [interjections]

THE SPEAKER: Hon. members, please. I'll recognize others on this point of order, but right now I'm recognizing the hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks very much, Mr. Speaker. We have legislation in the Conflicts of Interest Act that clearly contemplates that a cooling-off period is appropriate for members particularly of Executive Council, that there is a perceived problem always with potential conflicts of interest.

The question that was asked was: would the government contemplate a change in that legislation? Well, I don't have the Blues in

front of me. The Government House Leader suggests that conflict of interest was not part of that question. That's clearly what I heard. It is a perfectly legitimate question to ask whether the government will support and bring in, enact changes to that legislation to address the concern that many of us hear from Albertans.

By introducing a larger and larger role for the for-profit health sector, by enabling private stand-alone hospitals, that creates an enormous potential to abuse the public trust. The question is: will the government amend our conflicts of interest legislation to cut that off? That's what I heard, and until I see the Blues, that is my clear understanding and recollection of that set of questions.

3:00

The Premier, as I understood it, at no time said that he was prepared to countenance or champion such changes, and I think that is a perfectly legitimate question. The Government House Leader may read into it whatever he wants, but until the conflicts of interest legislation, a creation of this Assembly, ceases to be something we can talk about, I think it's perfectly appropriate to talk about potential conflicts, to talk about how we police them. The Government House Leader may read all kinds of motivation into it, but I'm dealing with the question as I heard it, and I think, Mr. Speaker, with respect, that that's the only basis on which you can deal with it and make a determination.

Thank you.

THE SPEAKER: Sorry. You've already had input, hon. Government House Leader, on this point of order.

MR. HANCOCK: Mr. Speaker, it's important that misinformation be corrected.

THE SPEAKER: Well, that's fine. The chair will deal with it. It's not a debate that goes on and on and on. Do any other members want to add something to this point of order?

I'll quote the Blues.

Mr. Speaker, almost daily the Official Opposition has presented very solid evidence on the economic, ethical, social, business-case benefits of public health care. The Premier has not answered the questions about who benefits from his private health care policy, so in reflecting the questions Albertans have put to us and asked us to raise in the Assembly, will the Premier sign a declaration guaranteeing that he will not benefit from any association with private health care clinics in Alberta for a minimum of 10 years upon his leaving office?

That is the question before this point of order.

I might add as well, hon. Member for Calgary-*Buffalo*, that you're next to be recognized with a point of order, but it may very well be that what I'm going to be saying here with respect to this point of order will not be dissimilar to what I'll say to the next point of order.

I'm very, very bothered about what's happening in this Assembly. The purpose of question period is to deal with policy. It is not to deal with personality. It is not to deal with innuendo. It is not to deal with types of questions, however skillfully organized they might be, that would suggest anything improper about an hon. member. Certainly Standing Orders 23(h), (i), and (j) and others and *Beauchesne* and the like can be quoted.

In this question, as the chair reads it again and again and again and as the chair heard it during the question period, it strikes me that the question is very clearly suggesting that there's something amuck here and that because a person happens to be the leader of the government – and it is this Assembly, by the way, which passes legislation, not an individual in this Assembly. This is still a democracy, and all hon. members will be in their places to vote one way or the other with respect to it.

The suggestion in here is that because someone out there has said to someone, "Gee, we don't know who's going to benefit from this; it seems that the only person that's going to benefit from this is the leader of the government," why don't we just get him to sign a declaration for 10 years? Well, what's that got to do with government policy? That's the suggestion being made against one member by another member.

I don't like this, and I'm not going to allow it. It's not going to happen again. It's not going to happen in the question, and it's not going to happen in the answer. The next point of order that will come up will probably have to do with an answer. So I give fair warning that the comments with respect to the question are applying with respect to the answer. I don't know. I mean, if you take a look even – well, I have to wait to see what the hon. Member for Calgary-*Buffalo*'s point of order is about. I'm just assuming what it is.

I'm not permitting this type of question in this Assembly anymore. I will stand up, and there'll be constant interjection and intervention, not only on the questions but also on the answers. Everyone in this Assembly has earned the right to be in this Assembly. They are duly elected. They are answerable to no one but their constituents. And I want to underline that again. Every member in this Assembly is answerable to no one but their constituents.

They are not answerable to the leader of their party. They are not answerable to the House leader in this Assembly. They are not answerable to a whip. They are not answerable to the Speaker. They are answerable to only one group. That is their constituents. They're individual people in here, and if any House leader or any whip or any leader of a party believes that they are better, more powerful, and more demanding than anyone else, then I want that hon. member to come and see me, and we will deal with it in point of privilege, and we will deal with it in this Assembly.

This is a democracy, and it's not a sleazebag, innuendo kind of Chamber. We're going to end this, and we're ending it now.

Hon. Member for Calgary-*Buffalo*, you have a point of order.

Point of Order Allegations against a Member

MR. DICKSON: Mr. Speaker, as usual you've fully anticipated the item I was going to raise. We've moved from what you've characterized as innuendo to an express allegation by the Premier against the Leader of the Official Opposition. Once again I don't have the Blues; hopefully you have them in front of you. What I understood was the Premier to suggest that the Leader of the Opposition, after leaving public office, went to work in the health care field. I don't know whether he said for the government of the province of Alberta, but what I took from it was a clear allegation that the Leader of the Opposition had violated the provisions of the Conflicts of Interest Act.

I wanted to make it very clear, Mr. Speaker, that in raising this, my first reaction was that this may well be a question of privilege. I want to be able to review the text of the question-and-answer exchange, but I wanted to give notice now.

The point, of course, would be that the Leader of the Official Opposition, after leaving government service, did consulting work for a contractor that did work for the government of the Northwest Territories. She checked with the Ethics Commissioner, and pursuant to the Conflicts of Interest Act there are provisions, sections 40, 41, and 42, that all provide for members being able to go to the Ethics Commissioner to get advice. Earlier in this session you in fact reminded members of the significance of advice sought and received from the Ethics Commissioner. The point is that the Leader of the Official Opposition at no time since leaving elected office in this province has done consulting work of any kind for the government of the province of Alberta.

Now, Mr. Speaker, as I say, I may well want to canvass the Leader of the Opposition in light of the observations you made a moment ago, but at this point I simply wanted to give notice that that is a concern. You've delivered a powerful message to both sides of the House, and I would appreciate an opportunity to be able to evaluate that, in fact specifically with the Leader of the Official Opposition, before having to characterize this issue as a question of privilege under Standing Order 15 or simply as a point of order.

Thanks very much.

MR. HANCOCK: Thank you, Mr. Speaker. Let's just say that I thank you for the statements you made earlier. It's about time. We need it in this House because we've gone far too far away from what we got elected to, which is an honourable and respectful position. The people of Alberta elect us to represent them in this House and to do so honourably. It's a privilege that very few people enjoy. I appreciated your comments. We on both sides of the House need to get away from this slide into sleazeball accusations. You characterized it very well, Mr. Speaker, and I thank you for it.

THE SPEAKER: Well, we've still got to deal with this, and we're going to have another kick at it. Here's what the leader of the government said.

Mr. Speaker, if anyone could have used a cooling-off period, it would have been the leader of the Liberal opposition. This leader, after losing, and not very gracefully, mind you, the Conservative leadership and serving out her time in the back benches until the next election, went directly into the health consulting field. She had no problems with conflict of interest, no problems using her expertise – well, supposed expertise – that she supposedly developed during her term as minister of health as a consultant. As a consultant. This is the perfect example of the pot calling the kettle black.

3:10

Now, a number of remarks were made a few minutes ago with respect to the first point of order. The same remarks apply to this second point of order. What is good for one side is demanded of the other side, and there's no exception to that. Hon. Opposition House Leader, I want you to know that I intend on intervening dramatically, and, Government House Leader, I want you to know that I intend on intervening dramatically. We're going to get to the questions. They're going to deal with substance and they're going to deal with policy, and we're going to get the personalities out of this.

I'm also going to implore on the whole question of brevity. There's no definition in this parliament of what brevity is, but brevity is now going to mean not four minutes for an answer or two minutes for a question. That's what it's not going to mean. If we have to whittle that down, we will whittle that down, and we'll find the model found in the Canadian House of Commons, which is 35 seconds for a question and 35 seconds for an answer. Unfortunately, if the time for an answer is 35 seconds, the hon. Minister of Innovation and Science will never be able to supplement an answer.

There is no time frame but let's get on with the business. There are hon. members in here, private members, who have an opportunity to raise questions. They're here to represent their constituents and have not had an opportunity, because it seems a series of individuals are dominating the question period. That's not fair and that's not right.

Now I want to really hear the point of order from the Member for Grande Prairie-Wapiti.

Point of Order

Allegations against a Member

MR. JACQUES: Thank you, Mr. Speaker. I'm referring specifically

to the questions that were posed by the Member for Edmonton-Gold Bar to the Premier. I believe, if I'm correct, Mr. Speaker, that you stood after the first question, prior to the addressing of the first supplementary, with a certain caution, and the member persisted. I stood at the conclusion of his second supplementary, i.e. third question, and the issue that I am referring specifically to – and I perhaps need some help or guidance in this, because I'm not an expert in parliamentary procedure. I refer to Standing Orders 15(1) and (2) with regard to a point of privilege, particularly the procedure involving a point of privilege, and also section 23(l) of our Standing Orders, together with *Beauchesne*, section 75, which deals with freedom of speech, and section 92, which basically deals with the "interference" with members.

I'm very concerned that, on one hand, it could be simply a point of order, that the question is not appropriate to be asked in this Assembly, but it was more in the context that the question was asked, that it in some way was suggesting that my ability to function within this parliamentary Assembly and indeed represent my constituency was somehow being muzzled, and I think that could possibly be one of the words. Unfortunately, again, I don't have the Blues in front of me. I know you do, sir, and maybe you could help clarify this issue.

I know that you did raise a caution. I'm not sure whether the Member for Edmonton-Gold Bar was doing this on purpose or whether he was attempting to cast some aspersion on my ability to function freely and totally freely within this Legislative Assembly. I'm very concerned about the words that were used. The tone is one thing, and I can excuse the tone. I cannot excuse the words that are written and captured in *Hansard*, and I would ask your indulgence, Mr. Speaker, if you would maybe kindly refer to the transcript in terms of the *Hansard* Blues. I would like your advice on that particular matter.

Thank you.

MR. DICKSON: Mr. Speaker, as I understood the comments, the member hasn't decided whether to assert a claim of privilege. He referenced Standing Order 15. I take it he's doing similar to what I'd proposed to do on a concern I had raised, that he's giving notice now at the earliest opportunity, and he's going to evaluate his remedies. If he's looking for relief now, then I'd make some observations. If he's simply giving us notice and he's telling us that he's coming back tomorrow to particularize what his claim is, then I'd make my observations then.

So I hope I understand correctly what just went on.

THE SPEAKER: I'm going to make some statements with respect to this whole matter and hopefully bring it to an end. First of all, I'm not prepared to accept any points of privilege for what happened here today, and I say that to the hon. Opposition House Leader. In terms of the previous point, the hon. House leader indicated that he might look to see whether or not the hon. Leader of the Opposition might come forward with a point of privilege. I'm not prepared to deal with that. I'm not prepared to look at it. I'm not prepared to accept it.

To the hon. Member for Grande Prairie-Wapiti, in light of what I said a few minutes ago with respect to the other two points of order, I want to also make it very clear that I'm not prepared in terms of what happened today to review a matter with respect to a point of privilege on that. The chair did intervene when the hon. Member for Edmonton-Gold Bar did rise. He gave clear statements in there, and then the hon. Member for Edmonton-Gold Bar was further recognized. I just take this from the Blues:

Why is this Premier and his government making a mockery of the

former Treasurer by invoking closure and denying MLAs their rights in this Legislative Assembly?

I suspect that in terms of what the hon. Member for Grande Prairie-Wapiti is raising, it has to do with “denying MLAs.”

Then the hon. Member for Edmonton-Gold Bar was further recognized, and he went on to this one:

Are the demands of the private hospital lobby so strong that the Premier is willing to sacrifice government MLAs by denying them the right to speak freely and vote the will of their constituents?

If I understand the comments made by the hon. Member for Grande Prairie-Wapiti, after clarification there was something about further reviewing it. We’re going to deal with it now, hon. Member for Grande Prairie-Wapiti, if you trust me to make the following, and I’m going to repeat what I said a little earlier.

This casting of aspersions with respect to members probably violates Standing Orders 23(h),(i), and (j), but more importantly than that it denigrates this Assembly. We can have an argument, and we can have a personality thing, and one member can say something about another member. We can deal with that, but it brings dishonour to everybody in this Assembly. He or she is raising it, and he or she feels intimidated by it.

I’m going to repeat this again, and I’m going to make this request again. If any member in this Assembly feels intimidated, feels threatened, feels cajoled – and I can find a hundred other adjectives to use to describe this – then they have a responsibility to no one but their constituents, and they must – must – rise in this Assembly or must visit the Speaker to discuss this matter. All of the authorities vested in a democratic parliament will be brought to bear against that member who provides the threatening or the intimidation or to that force outside of this Assembly who provides that threatening or that intimidation in terms of the protection of the integrity and the dignity and the opportunity and the responsibility of the member.

When a vote is called in this Assembly, an hon. member may choose to be in the Assembly or may choose not to be in the Assembly. That is his or her right. They’re answerable only to their constituents. We have an opportunity in this Assembly to have recorded votes. The names of those people are listed. That is public information. And I repeat again: no one can be intimidated, no one must feel intimidated, and the penalty for that is indeed very, very severe.

The hon. Opposition House Leader on the fourth point of order.

Point of Order

Explanation of Speaker’s Ruling

MR. DICKSON: This in fact was a 13(2). In fact you’ve raised the very issue that gives me some concern, Mr. Speaker, and it’s this. I certainly understand the concern about any member being intimidated by any outside force or some member threatening another, but given the question that was being asked, here’s what I’m trying to square. The substantial provisions dealing with party machinery in parliament, if we look at *Erskine May* from pages 210 through to I think it’s about 216, deal with the roles of parties and party organization. If I look at *Beauchesne*, starting at article 195 on page 55, there’s a great deal of focus on the role that the parties play in the House. The questions related to parties and party discipline.

3:20

Mr. Speaker, I know that you’re a keen student of what goes on in other parliaments outside of this place, and I see on a regular basis it being an issue and a question sometimes for debate, certainly for comment in the House in terms of when discipline is rigidly enforced, strictly enforced through the whip of a particular caucus, when it is not. I wanted to be clear whether your suggestion went so far as to suggest that it’s inappropriate in any way for one party to

query whether the whips are on in another party and whether party discipline is being exercised to its full extent or not at all.

I’m not trying to enter into an argument but just to be clear in my own mind, to understand where it’s appropriate to recognize the role that political parties have, that whips have, that party organization has on the major public bills we’re dealing with. We’re not talking about private members’ public bills here and that area you have clearly said is verboten, the area of threatening members and so on. Your comments as I heard them were very broad, very broad, and they might have even gone so far as to eclipse or forbid discussion about party discipline and party solidarity and whether that is fair comment in this Assembly.

That’s my query, Mr. Speaker. I hope it’s somewhat clear.

THE SPEAKER: Hon. Government House Leader, there was a question of explanation to the chair.

MR. HANCOCK: I’m happy to sit down, but I had a subsequent point of order which related to the same issue, and I thought it might be more appropriate to put them in the same context.

THE SPEAKER: Go ahead.

MR. HANCOCK: I had raised a subsequent point of order, and I was going to raise it under 23(j).

Mr. Speaker, first of all, every member of this Assembly, as you so rightly have pointed out, is responsible to their constituents and to no one else. If we join together in common cause with a common philosophy, with a common direction because we campaigned to our constituents on common themes, that is a member’s personal privilege that they bring to this House. As and when they determine to leave that common cause or stay with that common cause, it’s always a matter of that member’s personal privilege. The member opposite would know because a number of their members left their common cause when they no longer agreed with that common cause, five, as I recall, in the last two terms.

Mr. Speaker, it is always inappropriate, in my humble opinion, to suggest that any member of this House is precluded from speaking under the rules of this House. As you well know, you don’t call for a vote until no one rises to speak unless you’re called to do so by the Standing Orders, which have been adopted by this House by all members voting in favour of it, or unless you’re called to do so by a motion of this House which has been agreed to by all members. So all members determine what rules govern their actions in this House. All members determine whether they wish to rise to speak to a question or not.

There have been occasions in which members of this House on both sides have risen to speak, and sometimes people have risen to speak in opposition to a government bill, and that’s a member’s privilege. Whether they feel they can continue to support the government or not is a member’s personal privilege. They’re elected to represent their constituents, as you pointed out, and the question of whether they’re appropriately representing their constituents is a question for their constituents at the duly appointed time of an election. It is not up to any member of this House to suggest that any other member of this House rose to speak in the House or didn’t rise to speak in the House for any reason other than representing their constituents in the way that they think most appropriate.

In fact, there’s nothing compelling a member to rise in this House – the Liberal opposition wouldn’t know this or aren’t prepared to understand this – to merely repeat arguments that have already been made or that have been made ad nauseam. Therefore, one would not expect and should not expect in a democracy that every member of

the House would speak to every issue every time it's called. That would be totally inappropriate, and we'd never get the business of the House done.

It runs against the principles of privilege in *Beauchesne* and in *Erskine May* to suggest that any member, because they do rise or they don't rise, because they do vote or they don't vote, because they vote yes or they vote no is being intimidated, is being forced to do so. It's a matter of personal privilege. Whether I attend the caucus of my party is a matter of personal privilege for me as a member. Whether I come into this House having attended a caucus of my party and made a collective agreement with the caucus of my party as to what business is going to be brought before the House and how it's going to be brought before the House is a matter of my personal privilege. If I don't agree with the decision that's made, if my grievance is sufficient that I should excuse myself from the caucus, then that is my personal privilege. The members opposite should know that, because they're the ones who had several members take that advantage and make that decision.

So, Mr. Speaker, it is totally inappropriate to suggest that any member in this House is constrained in any way by party discipline, by party membership, by party rules, because a member is always free – always free – to express their opinion, to speak and to vote as they wish in this House. If they choose not to sit with the government or they choose not to sit with the opposition, that is the member's personal choice, for which they're responsible only to their electorate.

THE SPEAKER: The hon. Member for Calgary-Buffalo in raising this under 13(1) essentially asked for an explanation. I think the clarification that the hon. Member for Calgary-Buffalo was seeking from the chair was one that the chair would intervene at certain times if certain members were to say certain things. Now, I'm going to reiterate and review these Blues from this little exchange with respect to this matter and may have something more to say on Monday if what I have to say now doesn't cover what it is.

This is a parliament. The people in here are Members of the Legislative Assembly. When this chair looks out, he sees 82 Members of the Legislative Assembly. Now, when hon. members come in here, hon. members choose. Some go to one side; some go to another side. Some come in as a member of this party; some come in as a member of this other party. Some with the majority party come in as members of the government; some with the second party come in as members of the Official Opposition. Those are designations that the members essentially outside of this Assembly give to themselves. This chair looks out and sees 82 Members of the Legislative Assembly who have all earned the right to be here.

Now, if the particular grouping that an individual belongs to, the party in other words, has certain rules of discipline for their members – the chair would never, ever, ever accept a point from a member who stood in this Assembly and said: Mr. Speaker, I'm really concerned about the disciplinary rules being imposed upon me by my caucus, and I want you to do something about it. It is not the chair's business if there are disciplinary rules. Or if an hon. member were to stand up and say, "Mr. Speaker, I have a point of privilege because my whip is telling me that I have to attend the House today, and I don't want to come," well, I'm not getting involved. This is not a matter for review. Or if it's said that you have to go to a certain event on behalf of the group, or the caucus, and you want to stand up here and say, well, your privilege, other than the fact that you are being denied the right to be in this Assembly – if you're being told that you have to go somewhere because someone doesn't want you in here to do your duty, then the chair in that case would get involved because that would be a form of intimidation for the member.

Party political stuff remains outside of this Assembly. Here you are hon. members, again, with no responsibility to anyone but your constituents.

Now, this little lesson here in political science, Alberta style, in this Assembly in the year 2000 I'm sure will be ongoing, but the bottom line for all of this stuff that happened today is that we're going to find some honour. We're going to find some integrity. We're not going to cast aspersions. We're not going to allow intimidation, and we're not going to make suggestions that anybody is going to vote a certain way. I have no idea who's going to vote which way until the vote is called.

It doesn't make any difference what the whip says. It doesn't make any difference at all. Somebody says: the whips are on. That exchange from one House leader to the next House leader, from whip to whip, makes no difference to the chair. If the government whip says, "The whips are on," and if four government members want to vote one way, that's their choice, and there will be no action permitted against that member in this Assembly.

Now, outside this room, if you don't get invited to the next cocktail party and if you don't get invited to the next thing, you live with that. I mean, those are the rules of the group. But in this Assembly that means nothing.

In fact, I have seen it in this Assembly when I as the Government House Leader stood up and led the vote on behalf of the government. After being a member of the government caucus and everybody agreeing that this is the way we're going to vote, my own Deputy Government House Leader right beside me stood up and voted against his colleagues and never even told his colleagues he was going to do that, which caused an internal thing. It had no difficulty with respect to the management of the House, but it did cause that particular Deputy Government House Leader some difficulty.

3:30

Now I've never had the current experience of being the Government House Leader and having the current Deputy Government House Leader in the House being my deputy, so it's not that particular deputy, but that certainly has happened in the past. I've seen members of Executive Council stand up and vote against government bills. That has happened in this Assembly, and there is no intimidation. You choose whatever you want to do and how you want to do it, but you're free to do as you want to do it in this Assembly.

Let's move on to Orders of the Day.

head: Orders of the Day

head: Written Questions

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Proper notice having been given yesterday, it's my pleasure to move the written questions appearing on today's Order Paper stand and retain their places with the exception of written questions 11, 12, and 13.

[Motion carried]

Maintenance Enforcement Program

Q11. Mrs. Soetaert moved on behalf of Ms Blakeman that the following question be accepted.

As of March 1, 2000, how many active files in the maintenance enforcement program were in receipt of payments from a jurisdiction named in the declaration of reciprocating states regulation?

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

MRS. SOETAERT: Yes. From my understanding that has been amended, and I guess I'll speak after the minister clarifies that.

THE SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. I would be prepared to accept this question if it were amended, so I would move the amendment that we strike out "as of March 1, 2000" and substitute "as of March 31, 2000." So the question as amended will read:

As of March 31, 2000, how many active files in the maintenance enforcement program were in receipt of payments from a jurisdiction named in the declaration of reciprocating states regulation?

Mr. Speaker, just by way of explanation, we didn't have our computer programs written to provide this type of information when the question came forward. I looked at it and indicated that that's the type of information I'd like to have. We've rewritten the program so we can provide it, but we have to provide it as of the 31st of March rather than the 1st of March. I hope the amendment would be accepted.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. Actually, the minister sent over the amendment yesterday to my colleague, and it was accepted. I must say that that's an idea where a good opposition suggestion went forward. These kinds of things come to our offices often when collecting maintenance enforcement from people who are out of province. Out of country is sometimes extremely difficult. I know that all members in this Assembly get called about maintenance enforcement and the difficulties surrounding it in all their ridings.

That amendment is absolutely fine with the hon. member who requested the question, and I look forward to receiving that information.

[Motion on amendment carried]

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert to close the debate.

MRS. SOETAERT: Thank you very much, Mr. Speaker. I appreciate that the information will be forthcoming.

[Written Question 11 as amended carried]

Maintenance Enforcement Program

Q12. Mrs. Soetaert moved on behalf of Ms Blakeman that the following question be accepted.

As of March 1, 2000, how many active files in the maintenance enforcement program were paid to creditors in a jurisdiction named in the declaration of reciprocating states regulation?

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I understand there is an amendment coming forward which was spoken of before.

[The Deputy Speaker in the chair]

MR. HANCOCK: Yes, Mr. Speaker, I would be pleased to accept this question if it were amended. Therefore, I move the amendment that we strike "out as of March 1, 2000" and substitute as "of March 31, 2000." So the amended question will read:

As of March 31, 2000, how many active files in the maintenance enforcement program were paid to creditors in a jurisdiction named in the declaration of states of reciprocating states regulation?

Mr. Speaker, this question is essentially the same as the last question except the last one dealt with receipt of payments where this one deals with active files where we're making payments.

Again, the only thing I would add is that lest the hon. Member for Spruce Grove-Sturgeon-St. Albert that believe the sole motivation for this was the opposition questions, these are questions to which I had requested answers. We are constantly trying to improve the maintenance enforcement program, and in order to operate the maintenance enforcement program in the most appropriate way we need to have good management information. This type of information is useful to us.

So, again, by this amendment, we'll simply provide the information as of a date by which we can provide the information, March 31.

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

MRS. SLOAN: Yes. I appreciate the hon. minister's acceptance of the motion in an amended state and the provision of these statistics. I would just like to add the following comments, though, with respect to the request being made by the opposition, also in consideration of the responsibilities referenced in the lengthy debate we've just had relative to the responsibilities and rights of members to constituents.

We certainly have had in the constituency of Edmonton-Riverview a number of families who have found themselves involved with the department of maintenance enforcement. Regrettably, Mr. Speaker, I cannot just call up Justice and ask for information. In one particular case we had a constituent who had matters that related to needing to deal with Australia.

Now, we are aware that there are quite a number of jurisdictions under the declaration of reciprocating states regulations, and these include a number of states in the Commonwealth of Australia, Northern Ireland, Malta, Wales, England, Papua New Guinea, Barbados, Fiji, New Zealand. We have all the Canadian provinces, Northwest Territories, Yukon territory, Nunavut, the state of Alaska, and I believe quite a number of American states. We also have the Republic of South Africa, the Republic of Singapore, the federal Republic of Germany, and the Republic of Austria. All those jurisdictions are covered by the Reciprocal Enforcement of Maintenance Orders Act.

Regrettably, it is time consuming and in my mind causes unnecessary delay when members of the opposition are not afforded the type of access to information that might be available to government members to deal with these very complex and troublesome matters. Many times you find families that are in this situation of dealing with this department. They are living an impoverished existence. Their children are not afforded the opportunities, Mr. Speaker, to access activities and supports that others might be, and this is compounded by the fact that we continue to have government policy in this province that supports the clawing back of maintenance payments if a mother is on social assistance.

If a woman is receiving social assistance in this province and she has a maintenance enforcement agreement, in most cases they're

forced to undertake such action to have a formal agreement. Even when their ex-spouse has been providing support in good faith, this government chooses through social welfare policy, Mr. Speaker, to force them into a maintenance agreement. What we see happen then is a conflict escalation in the family unit, and quite often we see those families in our constituency offices.

Now, with respect to all of the written questions on this subject this afternoon, it would be of interest to me as to why the government does not include these as a performance measure in Justice or in the Department of Children's Services or perhaps in the department of human resources, because there is always the question – at least the question is always in the minds of the party supporting the children – did this person move away particularly to evade having to pay support?

3:40

Now, as in the case of this one constituent that we had, the ex-spouse was residing in Australia, and she was owed somewhere around \$50,000 or \$60,000. She'd had absolutely no success in having the department collect the money owed from her ex-husband in Australia, despite the fact that they were obviously a jurisdiction that was covered by this regulation.

Back to my point. What are the trends in this area? What are the trends with respect to parties that have status with maintenance enforcement leaving for other jurisdictions? We are asking this afternoon for active files. We could be asking: what has been the enforcement rate that this government has undertaken in those jurisdictions? How many files have they successfully collected moneys owing from? We're not asking for that material, Mr. Speaker, but there is a whole Pandora's box of problems in this area, as the hon. Member for Calgary-Lougheed found out. I believe that she was part of a review of this program just a short while ago.

So I appreciate the fact that the minister is agreeing this afternoon with amendments to provide the information asked for, but my main point is that this information should be publicly available and it should be included in the business plans of the department, whether it's as a performance measure or as a general reporting statistic.

With those comments, Mr. Speaker, I am pleased at this time to conclude my discussion and to support the amendment.

THE DEPUTY SPEAKER: On the amendment, hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker.

THE DEPUTY SPEAKER: Did you not speak at the outset?

MR. HANCOCK: Well, it's the only opportunity I have, Mr. Speaker, to close debate, because the motion is actually a motion from the opposite side. It's necessary for me to close debate on the amendment, because it's the only opportunity I have to speak, unless you can tell me that I have another opportunity to close debate at another time. But it's actually the opposition's motion, so I must, if I wish to speak, which I do, close debate on the amendment.

THE DEPUTY SPEAKER: The Assembly would normally vote on the amendment, then the debate would continue on the question, at which time you could sum up on the question. But you don't have a right to close debate on the amendment.

MR. HANCOCK: Well, that would be great, Mr. Speaker, except I spoke to the motion when I moved the amendment, so the only opportunity I have now to speak, as I understand it, is to close debate

on the amendment. However, if I'm wrong, I'd be happy to speak to the main motion.

THE DEPUTY SPEAKER: Well, the rightness or wrongness of it, the chair would certainly recognize you once we have the amendment vote finished. [interjection] No, the chair may not. I did see Spruce Grove-Sturgeon-St. Albert. Hon. member, did you wish to speak to the amendment?

MRS. SOETAERT: I did; didn't I?

THE DEPUTY SPEAKER: Okay. No. I thought you were rising . . .

MRS. SOETAERT: Yes, I would like to speak, and then I close debate on this; right? Yes, I'm right. I'm right.

On the amendment. I appreciate the minister giving us the information. I think it was well explained, the issues that we all face within our offices. This one is actually talking about people from Alberta who owe people in other countries, which is the same concern reversed. Just because those people leave our province doesn't mean that we don't care about those children, wherever they are, and that the noncustodial parent in the same way doesn't have that same responsibility to pay.

So I appreciate the amendment. I look forward to the information that we'll be getting from the minister. Thank you.

[Motion on amendment carried]

THE DEPUTY SPEAKER: Now, on the question as amended, hon. members.

Hon. minister, on the motion as amended, before the debate is closed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HANCOCK: Thank you, Mr. Speaker. I don't wish to prolong this. I just simply rise because unfortunately I believe that the Member for Edmonton-Riverview has really abused the process of written questions by going on at length on other issues. But I don't want to deal with that. What I want to deal with is the allegation that members opposite don't get the same courtesy as all members of this House from my office when dealing with maintenance enforcement, which I hope is totally wrong, I believe is totally wrong.

I think if she questioned other members of her caucus, in particular the Member for Edmonton-Centre, she'd find that when they have the appropriate FOIP release from an individual to inquire about an individual's situation, they get the information, and when they inquire about policy issues, we respond on the policy matters. If that's not the case, then I think it would be appropriate for her to draw that to my attention as minister rather than to raise it in an inappropriate way during Written Questions and Motions for Returns. The only thing that's relevant to the discussion on the written questions and motions for returns is whether or not we should provide the information that's requested.

THE DEPUTY SPEAKER: To conclude debate on Question 12 as amended, the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you very much, Mr. Speaker. To make some things very clear, written questions have a broad range of availability for debate within them. I think the issues of the Member for Edmonton-Riverview were very responsibly brought up, with very sincere concerns about what happens in her office. I also respect that this minister is one of the most available ministers, and

his office, for me, has been very co-operative when we call. But I do think that if there's an issue there, usually the minister would look into it instead of being defensive, and I encourage him to continue being that way.

I do question though – and I think this is one of the things – when you have to FOIP something. Due to issues of policy, I know that I have and I know Edmonton-Riverview has always had a consent signed by any constituent that we were asking about or advocating for. Always. That's a given. That's a given practice, I would assume, with every Member of this Legislative Assembly. If we're asking about policy on maintenance enforcement, it shouldn't have to be FOIPed. It shouldn't have to be FOIPed. So those are some of the concerns that were raised and that I hope have been clarified.

To the amended question, in closing debate, I look forward to the information on this. I also note that the minister said that it was totally his own idea and that he wanted this information long before we asked the question. Well, maybe that's so, but I know we don't often get credit in here for giving them a little shove in the right direction, a little motivation for action. That's certainly our role in here, and we do it well. Whether they want to admit that or not, Mr. Speaker, that's fine, but I do appreciate the responses that are coming.

Thank you.

3:50

THE DEPUTY SPEAKER: The chair would first of all apologize to the Assembly. When we were on the amendment, it really should have been strictly on the amendment, and the chair did not direct the hon. Member for Edmonton-Riverview. Her comments would have been valid in the latter part of it, and she didn't choose to repeat them again. So I apologize for that.

[Written Question 12 as amended carried]

Maintenance Enforcement Program

Q13. Mrs. Sloan moved on behalf of Ms Blakeman that the following question be accepted.

As of March 1, 2000, how many active files in the maintenance enforcement program related to creditors or to debtors where the payee or payor was resident in a jurisdiction not named in the declaration of reciprocating states regulation?

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

MRS. SLOAN: Thank you, Mr. Speaker. This is of interest as well, and as I looked through the best list that we were able to access with respect to those countries, states, and provinces that were covered, there were at least a couple that stuck out that were not part of that list. One notable one is Saudi Arabia. Another one that is not is Scotland. Another is Mexico, and I believe the entire South American continent is not part of the list.

These are jurisdictions that seem to be jurisdictions where I think Albertans do tend to go and reside, particularly those that have involvements in the oil and gas sector, because similar types of resources are in those jurisdictions. The premise of our question this afternoon relates to how much work the department has undertaken with respect to files and how many active files exist where the payee or payor was a resident in a jurisdiction not named.

Again, we are not afforded this type of information in the business plan from the Ministry of Justice. It's not something that on an annual basis we or any member of the public who might have cause or have an interest in this particular area can look at and see, if

they're entering into a maintenance enforcement agreement and they know their ex-spouse is going to be moving out of country, if there in fact is a record of pursuit, if you will, for that particular jurisdiction if it's not covered by the regulation.

I'm hoping the hon. Minister of Justice might talk about whether or not the department has had any discussions with the jurisdictions that I mentioned that are not part of the regulation and if there's any exploration being undertaken to consider including them under the declaration. I may stand to be surprised by this, but I somehow think, Mr. Speaker, that if there are jurisdictions not covered in the declaration, we probably won't find that they're – well, there may in fact be many active files that have not achieved much progress with respect to successfully paying or billing the parties for moneys owed.

As I alluded to in my earlier remarks, this is a program which has many complexities and many warts. Regrettably, we have an increasing percentage of our society in situations where they are confronted with needing to use the program because of our incidence of divorce. I believe that the statistics still remain that somewhere over 50 percent of marriages in this province end in divorce. I was struck by Reverend Laing, whom I haven't met but who made comments relative to the children at risk task force report, which was leaked to a scab worker with the *Calgary Herald* this week, about the fact that the report doesn't appear to address the root issues of what is causing family breakdown and why there continue to be a very large number of marriages ending in divorce. This is an area where I think we have to be very, very vigilant as legislators, as elected officials who are responsible, particularly in cabinet, to oversee and administer these types of programs.

We have a large percentage of our population that is in the category of either being on maintenance enforcement or possibly needing to utilize it, and we haven't had – and again I wasn't able to be part of the Justice debates this spring because we had simultaneous budget debates going on. I believe that on the day for Justice, Children's Services or Health or another debate was happening at the same time, so it was very difficult, and I was not able to take part in Justice. The measures that we utilize to monitor our success, if you will, and our progress in this department I think have to be continually examined, and questions 11, 12, and 13 this afternoon, Mr. Speaker, are very generic questions. All three are talking about active files and are not bringing forward – perhaps we should contemplate doing so – the complexity of other issues that exist within those files relative to maintenance enforcement.

Mr. Speaker, I'm pleased that we are anticipating an amendment before the Assembly this afternoon to suitably make the question supportable by the government. With those remarks, I thank you.

THE DEPUTY SPEAKER: Hon. Government House Leader, do you wish to move the anticipated amendment?

MR. HANCOCK: Certainly. She put me to sleep, Mr. Speaker. [interjections] I'm sorry. I do apologize to Edmonton-Riverview for saying that she put me to sleep. It was untoward of me to say so, and in my new model I will refrain from those sorts of comments. I'll even refrain from referring to Spruce Grove-Sturgeon-St. Albert when she says she gives me a little shove, but I've always known she's pushy.

Anyway, I think where we were at was that I was to accept the question if the House would agree to an amendment. Then I would move the amendment, that we strike out "As of March 1, 2000" and substitute "As of March 31, 2000" so that the question would read:

As of March 31, 2000, how many active files in the maintenance enforcement program related to creditors or to debtors where the payee or payor was resident in a jurisdiction not named in the declaration of reciprocating states regulation?

Mr. Speaker, in speaking to the amendment I would just say a couple

of things. First of all, I'm going to make the presumption, although it's not explicit in the motion, that they mean outside of the province of Alberta, and I trust they will read it in that context.

Secondly, just to clarify earlier remarks when I mentioned FOIP, my point was not that any member of this House should have to make a FOIP request to get information from maintenance enforcement, but if they were requesting information on behalf of a constituent – because Edmonton-Riverview clearly indicated that she had requests from constituents and was advocating on behalf of constituents – we would be pleased to deal with those requests if they had the appropriate authorization from the individual whose personal information it was, allowing us to release that personal information to them or discuss the file with them. I just wanted to be clear on the record with that.

4:00

Maintenance enforcement has done an excellent job, Mr. Speaker. It's a difficult unit. It's a difficult business to be in because it's always difficult to satisfy both the person who's expecting the payments and the person who has to make the payments, and they do an excellent job. I might say, while I have the opportunity to put it on the record in this House, how proud I am of maintenance enforcement and the job that they do. But there always is room for improvement. There's always room to do better. Sometimes we do fall down by not providing the service that the public has come to expect, but for the most part it's an excellent, excellent unit, and it does a wonderful job.

The amendments that were brought in and the changes that were made as a result of the work that was done by the hon. Member for Calgary-Lougheed have only served to improve that program. I would just say to the hon. members opposite that if they want information about the program or if they want information about policy or if they want to talk about measures of success, we're always open for business.

[Motion on amendment carried]

THE DEPUTY SPEAKER: To close debate on Written Question 13, the hon. Member for Edmonton-Riverview.

MRS. SLOAN: Thank you, Mr. Speaker. I would simply just like to thank the hon. minister for his co-operation this afternoon in making the question permissible, and I anticipate the government's support with respect to the main question.

Thank you.

[Written Question 13 as amended carried]

head: Motions for Returns

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Proper notice having been given yesterday, it is my pleasure to move that motions for returns appearing on today's Order Paper stand and retain their places with the exception of motions for returns 18, 19, 20, 21, 22, 25, 26, 27, 28, and 30.

[Motion carried]

Woodland Caribou

M18. Mrs. Soetaert moved on behalf of Ms Carlson that an order of the Assembly do issue for a return showing a copy of any

studies or reports that the government has authorized, conducted, or examined since January 1, 1995, concerning the historic or current population and distribution of woodland caribou in Alberta and copies of any documents indicating what measures the government has taken to ensure healthy populations of these endangered animals.

THE DEPUTY SPEAKER: The hon. Minister of Environment.

MR. MAR: Thank you, Mr. Speaker. I move that Motion for a Return 18 be accepted.

MRS. SOETAERT: I would like to thank the minister for the information. The hon. minister has inspired me to actually praise the minister for the information that we're getting. I mean, the importance of caribou in this province is quite important. These species are one of the few that are truly impacted by human contact, unlike moose and elk. The caribou are certainly different, and we'd hate to see that wonderful animal become extinct. I mean, actually, you know, it's on the quarter. The quarter has the caribou on it. There's a tune to that effect, too, but probably only those with younger children might remember it.

So, Mr. Speaker, I thank the minister for the information, and I look forward to receiving that on behalf of my colleague.

[Motion for a Return 18 carried]

Government Members' Travel

M19. Mr. Dickson moved on behalf of Dr. Nicol that an order of the Assembly do issue for a return showing copies of written approvals provided by the Premier, Executive Council, Treasury Board, and/or the agenda and priorities committee for out-of-province and out-of-country travel by cabinet ministers and government Members of the Legislative Assembly, MLAs, for the period January 1, 1993, through November 17, 1999.

THE DEPUTY SPEAKER: The hon. minister.

MR. HANCOCK: Thank you, Mr. Speaker. Unfortunately I must reject this particular motion. Ministers do file and they're required by the policy of this government to file news releases including their itinerary and the cost of their travel. So that's a matter of public record. It would be unusual to release Treasury Board agenda and priorities documents, those sorts of documents that are being requested, and there's no need to do so seeing as the information is a matter of public record in any event by virtue of the news releases, which I would advise the hon. member he can get off the government web page if he doesn't already have an easier way of getting it.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I'm quite surprised that the minister can't get us this information. A news release is quite a bit different than actually giving us

copies of written approvals provided by the Premier, Executive Council, Treasury Board, and/or the agenda and priorities committee for out-of-province and out-of-country travel by cabinet ministers and government Members of the Legislative Assembly.

The reality is that not long ago there was a bit of a scandal in this province about ministers traveling at taxpayers' expense and the question of whether government business was done or not. So I'm surprised that the minister isn't coming forward and wanting to make

sure that all the public out there know where the money is spent and where people are going and for what reason. We don't want somebody golfing in Mexico at taxpayers' expense. If it's at their own expense, that's something quite different.

The reality is that people in Alberta are concerned about the abuse of this policy. You know what? What's sad about this is that I would bet you that most ministers who travel overseas on a business trip work very, very hard – I believe that they do – and it's not much fun. But the reality is that the public image out there is that they're going on a junket. I would think that responding to this would be a way of assuring people out there that ministers are actually working and are not on a junket at taxpayers' expense. We've seen that happen in this Assembly with ministers going with no explanation of itinerary, and after it's found out what they're doing, then they come up with an itinerary after the fact.

Mr. Speaker, the Premier said he would look into this. The caucus members want to make sure our tax dollars are spent wisely, I am sure. So why are we hiding this kind of stuff? A news release is not sufficient information. It does not give us what we are asking for. I would think that most cabinet members, particularly, would really want this kind of information public, because I've heard several of them say how hard they work, how they don't like being away from home, how it's long, long hours, and that they really do work hard on these. Then don't allow some to go on junkets, and make sure the public know about it to keep your own members in check.

Thank you very much, Mr. Speaker.

DR. TAYLOR: This member raises a lot of kind of negative allegations about ministers that travel. As one that traveled internationally as recently as last week, I would like to make some comments on that, Mr. Speaker.

All of our travel has to go through agenda and priorities for approval. So there is a very . . . [interjection] Mr. Speaker, if she wants to talk, I'll sit down.

4:10

THE DEPUTY SPEAKER: Hon. Minister of Innovation and Science, you're the one that the chair has recognized.

DR. TAYLOR: Thank you. So we have already a process. Now, once it's through A and P and approved, then a press release is released giving exact details of the travel and the meetings that one goes through.

If I might use my example, since she thinks ministers are going on pleasure trips. Last week I traveled to the United States. I caught a 9:30 plane out of Edmonton to be in Seattle. I flew to Vancouver, and because we were too late to make a connection, I rented a car in Vancouver and drove to Seattle, because I was the keynote speaker, the only Canadian invited to speak at a congress of world leaders, at a Microsoft conference for world leaders, by invitation only. There were 400 people there, Mr. Speaker. I was on at a quarter after 8 in the morning.

I got into Seattle at 2:30 in the morning, got up and spoke at a quarter after 8, had meetings the rest of the day, spoke again, another speech, not organized by us but invited by the Canadian consulate, who had invited 130 expatriate Albertans, people that were all graduates of the U of A, the U of C, NAIT, or SAIT. They thought there would be 30 to 50 people. That is what they told us. There were between 115 and 120 people that showed up out of their invitations. I spoke there, and we went into meetings until 11 o'clock that night. I got up at 6 o'clock and got a 9 o'clock plane out of Seattle back to Edmonton.

Now, if that member thinks that's a junket, if that member thinks

that's a pleasure trip, Mr. Speaker, I take great exception. It was nothing but hard work, and we got a lot of attention from that. We have now Microsoft people coming to Alberta to meet with our officials to see how Microsoft can be part of Alberta and what Microsoft can bring to Alberta. I just get tired of the crap from those people in this Assembly.

Speaker's Ruling Parliamentary Language

THE DEPUTY SPEAKER: Would you like to reconsider your characterization of information that may be received that you disagree with?

DR. TAYLOR: I'll withdraw the word "crap," Mr. Speaker, and substitute "garbage." [interjection] Well, I can't use that word either. I think that would be definitely ruled out of order.

You know, it's all innuendo, and the public reads this, hears about it, and thinks that that's what ministers are doing. I would ask those members to at least be honest in their commentary and not try to mislead and lie to the public.

THE DEPUTY SPEAKER: We have another offending word in there that maybe you might reconsider.

DR. TAYLOR: Which one?

THE DEPUTY SPEAKER: You indicated: "and lie."

DR. TAYLOR: Yes. I will change it.

MRS. NELSON: A barefaced falsehood.

DR. TAYLOR: The Minister of Government Services just suggested to me "barefaced falsehood," so that's the one I will substitute.

Debate Continued

MS LEBOVICI: It appears that we're a little touchy this afternoon.

The question was very simple, and in fact the minister himself referred to what our motion for a return is:

copies of written approvals provided by the Premier, Executive Council, Treasury Board, and/or the agenda and priorities committee for out-of-province and out-of-country travel.

Now, I recognize that out-of-province and out-of-country travel is not always a junket and in fact is a lot of hard work because of the time frames that we do see that the ministers have to comply with in terms of their meetings, but the request is very simple, Mr. Speaker. It is to ask for the written authorization. Why in fact could that not be produced? That is what the question was, and that is what I have yet to hear the answer to.

So I thank the minister for outlining what his work was last week. It sounds like he did some very good work, and we appreciate the work that he did on the part of the province, but still the issue at hand is: why can we not get the written authorizations? That would be very simple, I would imagine, to bring forward to this Legislative Assembly.

Thank you.

THE DEPUTY SPEAKER: The hon. Minister of Government Services.

MRS. NELSON: Well, Mr. Speaker, there's a tone coming from the opposition with regards to this motion for a return that there's something that is not being openly laid out for the public. Quite

clearly, as a minister who has been overseas a number of times, each time before my group, whether it was Energy or Economic Development, traveled abroad or stateside, our itineraries were reviewed and released in detail by our communication people to the media, who printed them or chose not to, whichever the case was, depending on the trip.

I can go back to the original trade mission trips that went down to Houston and the three times I was in South America. I've been in six different countries in South America. I've been on four trips to Asia. All of that information has been laid out. Clearly, if they're looking for something untoward, I don't know what else you could do but lay out the itineraries, even listing the meetings, who you're meeting with, the purpose of the meeting, and who will be in attendance.

The document that's filed is very comprehensive, and it's updated almost daily whenever you're going on a trade mission because inevitably what happens on these missions is that up to the very last minute or even when you're in that country, the add-ons, the add-on meetings that get put on it are fierce.

In my case I can tell you that when you first get asked to go on one of these trips, you think, "Oh, wonderful," and then you go on one and realize you take two sets of staff, a day staff and a night staff, because you wear them out. You try to pack 21-day trips into 10 days so you can get back. I know. I have. And places I've been I can remember coming back, and one of my staff brought over some pictures. I was showing them to my family, and my mother asked, "Did you go on the trip?" I said, "Well, I did but I didn't get to see any of that stuff" because we were in that room, that meeting room, and that meeting room. But we got pictures from the staff who went and saw it, because you take 2 sets of staff, a day staff and a night staff. They wear out pretty quick.

The itineraries, the schedules, the meetings, the purpose, the programs for the companies. I know we took 120 companies over to Asia, and we worked our bones off, literally. All of that was laid out. It was a big story for Alberta, a major profile.

Our process goes through agenda and priorities; it doesn't go through these other areas. Treasury Board does not approve these trips. It is an agenda and priorities item, so it doesn't do that. There isn't a process through there. We've talked about this in this House before. They're very tightly controlled because there are so many players that feed into this, particularly from the private sector and from the foreign counterpart that you're meeting with on a diplomatic level.

We do release details. We may not always put location as to where the meeting will be, and that is for security purposes. When we were in Lima, Peru, the streets were lined with assault vehicles, and submachine guns were on rooftops of the buildings outside our hotel room. We were protected by four RCMP because of the national security with the Canadian embassy there. We were not able to list off the actual meeting locations because of security purposes. We live in a country that is safe, but some of these other countries just are not. So you do get a shock when you go into some of them. I always say that when I write the book, I'm going to talk about some of the foreign travel and the places we've been where there have been military coups going on as we've been leaving, the tanks rolled down the street in the middle of the night, and we got out as fast as we could. So those schedules are not printed, but they'd make an interesting read afterwards.

Everything is open, Mr. Speaker. I know we can't provide you with approvals from Treasury Board. I've sat on the Treasury Board since 1990, 1992, and this is not a Treasury Board issue. This goes through agenda and priorities. I've also sat on that committee. Clearly, the way this is written, it's not there, but whatever comes

there is filed with the press. So I think the motion is out of order, and we would not be able to honour it.

4:20

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

MR. WICKMAN: Thank you, Mr. Speaker. Just very briefly. I hadn't even planned to speak to this, but there seems to be a great deal of sensitivity being shown by members of the government side on this particular motion for a return. If you look at the motion very carefully, what the motion is asking for is copies of written approvals provided by the Premier, Executive Council, and so on, on out-of-province travel. Nobody is implying an abuse of travel opportunities. Would I dare suggest that the minister of community services would go on a junket? No. I'm sure she goes on these trips for business purposes. The Member for Edmonton-Whitemud, the Minister of Municipal Affairs, and so on.

As a member of the opposition, I've only ever had one opportunity to travel at taxpayer expense, and that was to a parliamentary conference in Victoria. Certainly there's an agenda laid out ahead of time, and you do your share of work when you're there. Although a parliamentary conference – let's be honest about this – does allow some opportunity for relaxation, socialization, and exchange of ideas, too, which is good.

Particularly, when I look back at my experiences on city council, a lot of times we were forced to travel. We didn't want to travel. Nobody likes to be away from their family, but you're forced to travel. When the mayor comes to you and says, "Look; I need you to go down to Ottawa to attend a multicultural conference on behalf of city council," you can't say, "No, I'm not going to go." You have a responsibility to go. So you're away from your family. You catch these late-night flights, and you go down there, and you work, work, work. It is not fun. Nobody is suggesting an abuse here, although there were some questions raised during the summer, mind you, and we have to recognize that.

Just simply, again, the question of public perception, what the public perceives as being right or wrong and to lay down, just like we have in the dollars I spent for out-of-town travel in the province. We table those in the House and in public accounts. The amount of money that I use for transportation is clearly there: my salary, my benefits, everything. So just to provide Albertans, the taxpayer, every bit of information possible just so they can make that judgment themselves, that this was proper, that this went through the proper channels, that it was approved, and that there's accountability. That's the key, accountability.

On that note I'd conclude, but I don't understand why they're so sensitive about this one. Puzzled.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo to conclude debate.

MR. DICKSON: Yeah, I don't mean to belabour debate. Just a couple of observations I want to make quickly. The first one is that I have a great deal of sympathy for the sensitivity of cabinet ministers, Mr. Speaker. I'd acknowledge that, I think, last calendar year I made 117 one-way trips, and half of those were waking up at 5 in the morning to catch the 6:20 flight from Calgary to Edmonton and then going back. So I understand the frustration that travel is no fun. Believe me, I have a great deal of sympathy for cabinet ministers that have to travel in terms of selling our province and selling the products and services this province has. That's part of the necessary work, and I wish the Premier would appreciate that.

I recall in question period he had some fun talking about my jogging around my constituency, and I laughed too because I thought it was pretty entertaining. But it's the same issue that transportation is a necessary part of our work. Whether you're a Calgary MLA that has to come to work in this place and then get back as often as possible to participate in events, meetings, and that sort of thing in that city, that's part of the job. I take the minister of innovation and the Minister of Infrastructure, and I think that when you do a lot of travel and particularly air travel, you realize, frankly, it is tedious, it is boring, it is draining, and it just isn't any fun. It's clearly no bonus. I suspect the same is true whether you're flying back and forth between Edmonton and Calgary or whether you're going to Bolivia or Ecuador or anywhere else.

Anyway, the observation I wanted to make is, firstly, that I have some sympathy for cabinet ministers, so this is not a question that travel is bad. It is simply a question of accountability. I heard the Minister of Innovation and Science say, reinforced by the Minister of Government Services, as I understand it, that the agenda and priorities committee approves all travel, and when a news release is issued, that in effect is an indication and confirmation that that travel has been approved by the agenda and priorities committee. I think the whole purpose of this is simply to ensure that if there's any travel, it has been properly authorized, there has been a process, and somebody is accountable other than the traveling minister. I think that's what we're asking for.

I appreciate the clarification from the minister of innovation, who I think has made it abundantly clear. I take it that applies to out-of-province travel, out-of-country travel by cabinet ministers and government Members of the Legislative Assembly from the period '93 to November 7, 1999. If that's what he's telling us, that all of that travel has been, in effect, stamped by the agenda and priorities committee, then that's exactly what I think my colleague was looking for. I take it we have that information, and I thank the minister for that clarification.

That's all I wanted to say on this, and hopefully we can vote it and start making some progress through this long list.

Thank you.

[Motion for a Return 19 lost]

West Edmonton Mall Refinancing

M20. Mr. Dickson moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing copies of financial planning and human resources minutes dated May 14, 1997, pertaining to the refinancing of West Edmonton Mall as listed on page 40 of the affidavit of records of Her Majesty the Queen in right of Alberta dated November 30, 1999.

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

MR. HAVELOCK: Thank you, Mr. Speaker. On behalf of the Premier, I would like to indicate that, as has been said numerous times in the House previously, the issue of the West Edmonton Mall refinancing is now before the courts, and as such we will not be accepting this motion.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo to conclude.

MR. DICKSON: Exactly, sir. We're hoping to make some progress here this afternoon.

The comment I would make is that it is one thing to offer

commentary on a matter which is currently before the courts. If there is a subsisting issue in the courts, then I think all members should respect that process. But this issue is not asking for the government to comment on anything. What we want to access – it's a motion for a return. That means we want a document. What do we want in this case? It's a copy of some minutes. It's the financial planning and human resources minutes.

We know the record exists, Mr. Speaker. I have in hand the affidavit on production. Maybe things have changed since I practised law. This is styled "affidavit of records." But in the style of cause the Alberta Treasury Branches is the plaintiff. The defendants include a number of the Ghermezian family and a number of numbered corporations and named corporations. The action number is 9903-18469. In the affidavit of records, in the first schedule, the first part: "showing records in the possession of the Crown which it does not object to produce." So, in other words, there is no claim of solicitor/client privilege or any other kind of privilege. It's right there. It's number 024, and the document is identified.

So the document was part of what the Crown was prepared to disclose for purposes of the litigation. The document clearly exists, and the minister has not asserted that it does not exist. On what basis would he refuse to share it with us? He said: well, it's part of some ongoing litigation. Well, you know, the pleadings are part of some ongoing litigation, and you or I can go down and get a copy of that. That is no excuse, no reason. This is the former Minister of Justice telling us that it can't come because it's part of a court proceeding. Well, that's just utter nonsense. Utter nonsense. That's no reason the document can't be shared.

4:30

When the Member for Calgary-Glenmore was involved in litigation not so many years ago – well, he had a client who happened to be a particular litigant. If the litigant wanted a document that had been disclosed in the course of production, all he had to do was give instructions to his counsel, his solicitor, and his solicitor would make that document available. So it's the same thing here.

Now, we have a new Minister of Justice, and maybe he hasn't had time to turn his mind to it. But why wouldn't the current Minister of Justice make available to us a document which has been disclosed in the affidavit on production in this litigation? The fact is that it is cited in an affidavit. There is no privilege claimed. It's a disclosed document. This is one of those things that suggests that this is a government that still buys into a culture of secrecy, not what they claim to be, a government that's open and transparent.

It seems to me that the litigation is but an extremely convenient excuse to roll out that great big blanket of secrecy over top of the document. We could have understood if this had been in the second part of the first schedule, which was documents the Crown refused to produce or objected to. Minister of Justice, through the Speaker, why won't you share with Albertans this memorandum? The minister didn't even claim that this was going to violate section 15 of the FOIP Act or section 16 of the FOIP Act or sections 22 or 23 or 27, one of those often-cited exceptions.

Why don't we get it? Because government chooses not to share it. Not good enough, Mr. Speaker. I think we want to see that document, and I hope every member is going to be able to vote for this, because the reason that's being proffered by the government is nonsensical. It's bogus; it's empty; it's vacuous. It simply doesn't in any reasonable sense provide justification for keeping this document secret.

Thanks, Mr. Speaker.

[Motion for a Return 20 lost]

West Edmonton Mall Refinancing

M21. Mr. Dickson moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing copies of excerpts of cabinet agenda with attachments dated August 13, 1996, pertaining to the refinancing of West Edmonton Mall as listed on page 34 of the affidavit of records of Her Majesty the Queen in right of Alberta dated November 30, 1999.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I understand that we are rejecting this question on the same grounds. I'd just simply add that in the last session of this Legislature there were a series of questions relating to West Edmonton Mall, which we debated ad nauseam in the House, as I recall, and all of that debate applies mutatis mutandis – I just wanted to say that; I haven't been able to say it for a long time – so I don't think it bears repeating.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo to conclude debate.

MR. DICKSON: Yes, Mr. Speaker. I don't know what's more distressing: the fact that the government won't share the document or that our top law guy in the province, the Minister of Justice, doesn't seem to see any difference between a document and answering questions on a matter of government involvement. I could understand government having a higher and better claim to not have to disclose information about what government did or didn't do, but we're talking about a document. Once again, this is in an affidavit of records in action 18469, and if one looks at the first schedule, the first part, document 024, it's right there: excerpts of cabinet agenda with attachments.

Now, one might have expected that the government could say that cabinet privilege attaches. Maybe this is a section 21 or maybe this is a section 23 of the FOIP Act. That would be a reason at least to withhold it. Somebody could say that it was a privileged document. There's no claim to privilege here. If Albertans could only hear the top law person in this province standing up and simply saying: we choose not to share it with you. There's no legal impediment to sharing the document with Albertans.

You know, I was talking about what was scary before, Mr. Speaker. The prospect of the former Minister of Justice and Attorney General offering legal advice to the current Minister of Justice and Attorney General is frightening.

AN HON. MEMBER: He's not taking it.

MR. DICKSON: Oh, I'm heartened by that. That's really . . . Right, Mr. Speaker. I'm sorry.

You know, I've always said that we'd never have had the strong freedom of information and access to protection of privacy law if it weren't for the member who formerly was the Minister of Justice. I have always given him credit, because he was the one, when the government caucus was wrestling with whether to do this, who sat down and industriously in the fall of 1993 did I think it was a 13-page analysis of the B.C. act and what ought to be done in this province. In 1993 that member was my hero, because he managed to persuade his caucus colleagues to bring in what is arguably one of the strongest freedom of information laws anywhere in Canada. He did a good deed, and he did good work on that.

It's too bad, then, that the government did a number of things. [interjection] I see that we've piqued the interest of the minister responsible for the FOIP Act, but I have to remind him that we then

sort of screwed things up with our fee schedule and a bunch of other things, but the act has always been a fine act, and I tell people in Ottawa that, and I tell people in Edmonton that, Mr. Speaker, and in downtown Calgary.

AN HON. MEMBER: You're digressing.

MR. DICKSON: I am. Mr. Speaker, I apologize. I thought this might be a refreshing change from the Member for Edmonton-Glenora, who typically occupies the better part of most Wednesday afternoons in a single-handed stand for disclosure of documents. I thought I might be a little briefer, and I'm falling into the same trap.

MR. PASZKOWSKI: It's a very exciting subject.

MR. DICKSON: Hon. minister, it is a very exciting subject. I don't know whether he's seen the button my caucus made up with my smiling mug in the middle that says: don't FOIP with me. I'm going to share one of those buttons with the minister.

Anyway, those are the observations I wanted to make. There has been no proper explanation in terms of why the document cannot be shared other than that the government chooses not to. There's no legal impediment. There's no mandatory or discretionary exception in the FOIP Act that's been cited. It's just that government prefers secrecy to openness. Sad day, Mr. Speaker. Sad decision. Sad representation on behalf of the people of Alberta who want to see a greater degree of transparency and accountability.

Thank you.

[Motion for a Return 21 lost]

West Edmonton Mall Refinancing

M22. Mr. Dickson moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing copies of excerpts of agenda and priorities committee minutes dated February 9, 1998, pertaining to the refinancing of West Edmonton Mall as listed on page 40 of the affidavit of records of Her Majesty the Queen in right of Alberta dated November 30, 1999.

MR. DICKSON: Since I've managed to make a lot of the observations I wanted to, I'm hopeful I can be a lot briefer in the ensuing motions for returns. I'm getting some advice from my colleagues to my right here who I think are anxious about something more exciting to come along. I know that the Member for Banff-Cochrane was one of the members who was here at 2:30 this morning and is probably anxious to see us move to a speedy conclusion. Heeding that sort of great advice I'm getting from my three colleagues to my right, I'm going to sit down and keep quiet and look forward hopefully to a positive response.

THE DEPUTY SPEAKER: The hon. Government House Leader.

4:40

MR. HANCOCK: Are we on Motion for a Return 22, Mr. Speaker?

THE DEPUTY SPEAKER: We are.

MR. HANCOCK: I would advise that the government rejects this motion. As we've said in debate on numerous occasions with respect to questions relating to this matter, there was a complete review of this matter. I think it was by the Auditor General. Or was it by the Ethics Commissioner, or was it by everybody? In any

event, this has been the subject of significant review. It's past history. It's long gone. It's of no more value. We just have to reject the question for the same reasons that we've given on an ongoing basis.

Thank you.

MR. DICKSON: Mr. Speaker, all the minister has to do is say: we've disclosed it in our affidavit on production; we'll send it over. You know, if he were a little more creative, what he could say is: consistent with our past position, I won't answer questions about it; the government won't answer questions because it's been dealt with by the Auditor General. But he won't even give us the ruddy document to look at and make an assessment in terms of whether it's significant or important.

Mr. Speaker, in the affidavit of records, the affidavit on production in action 9903-18469, it's right here, the first schedule, the first part. It's document 024, excerpts of agenda and priorities minutes. The government is prepared to disclose it to litigants. Why can't it disclose it to Albertans?

You know, there's a kind of irony here. We've got a bit of a cabal, a little sort of secret club. We've got Alberta Treasury Branches over here. We've got the government of the province of Alberta. We've got the people involved with Triple Five Properties Inc. and the multiple associated corporations. They get to see these documents, but this minister is blocking. This minister is standing in the way of the people in this province being able to see this document. He's absolutely obstructing our access to it.

He didn't claim privilege, so we know it's not solicitor/client privilege. We know it wasn't part of a without prejudice letter. We know that it apparently doesn't offend sections 15, 16, 17, 18, 19, 20, 21, 22, 23 of the FOIP Act, because we know that this minister is a competent minister, and if it had offended one of those, he would have used that. He would have cited that. He didn't cite any one of those exceptions. He comes forward and he simply says: no, we're not going to share it with you because somebody else has looked at it.

Well, you know, I could care less, Mr. Speaker, whether the Auditor General has seen it. I haven't seen it. My colleagues haven't seen it. The people of Alberta haven't seen it. And that was the problem with the Auditor General's report. So let us see it. You know, let the secret out. Lift the veil of secrecy back. Let us have a peak at this document.

I'd love to see excerpts of agenda and priorities minutes. It may be the closest I ever get, Mr. Speaker, to seeing a cabinet document. Just once in my history as a legislator, could I have a chance to look at one of those top secret, high-powered cabinet docs? I don't know. Are there little borders around it? Are there little animal stamps around the margin? Are there little places for people to . . . [interjections]

Mr. Speaker, we're getting a kind of disclosure here in the House that had never been contemplated by the Standing Orders. But thank you. I can die a happy man now that the minister has shown we one of those cabinet documents. If my 51-year-old eyes were a little sharper and hadn't started getting a little fuzzy around the edges, I might be able to read what she held up.

Anyway, Mr. Speaker, I've tried to make the point. I've tried to make the argument. Now it's up to the conscience of each man and woman in this place in terms of: do we support government secrecy when there is no compelling legal reason to do so, or do we say that the citizens of this province are entitled to know? The freedom to know, the right to know: it's guaranteed in section 3 of the FOIP Act.

You know, when the FOIP Act came into force, they had to delay the release of the government information video by two weeks because the Premier wanted to be on the front of that video. This is the training video they use. As the lights come up, we see the Premier seated there smiling behind a desk. He's grinning benignly, and he is saying to the people of this province and to everybody who watches the training video that his government is committed to a new culture of openness. I think those are the words he used. It gladdened my heart. As Chief Dan George used to say, my heart soared like a hawk, Mr. Speaker, when I heard that observation. Yet now when that same Premier's government has a chance to choose one of those two paths, they vote for secrecy.

Those are the points that I wanted to make. Please vote yes.

[Motion for a Return 22 lost]

Royalty Tax Credit Program

M25. Mr. White moved that an order of the Assembly do issue for a return showing copies of all studies and reports prepared by or for the Department of Resource Development between May 25, 1999, and March 17, 2000, reviewing the Alberta royalty tax credit, ARTC, program.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On behalf of the minister of natural resources I would reject Motion for a Return 25. The information that's been provided to me is that the department has no studies or reports on ARTC for the time frame given. The minister made the decision on what changes we were going to make on April 1, 1999. Treasury has met with industry on reporting requirements since then, but that would not constitute a report by or for the department.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Calder to conclude debate.

MR. WHITE: This is probably one of the larger pieces, not in magnitude of the volume of writing but in the effect on one of the substantive industries in this province, and this government has just said that it doesn't do any study to change them. I mean, that bears repeating. That message will have to be sent to CAPP and a few others. We'll definitely send that message. This government is obviously not in care and custody of a large part of the income of this province when it offhandedly makes decisions and appears to make them ad hoc, without much forethought. It's unbelievable to this member that there could possibly be these changes without any study.

You'll recall that perhaps two to four years ago, in that time period, the Alberta royalty tax credit program was revamped considerably, and I would have thought that there would have been some writings, any kind of writings, recognizing that we're looking for all studies and reports prepared by and for the Department of Resource Development. It may have been at the time the department of energy, but regardless, the files moved from one to the other, and there may be some reports in Treasury. If those reports are in Treasury, then surely those opposite could say so and produce those reports. I mean, these cannot be secret documents. There may be some parts of the documents that may be a little sensitive and were sensitive prior to enactment, but after enactment, surely they couldn't be. This member fails to see how this government can justify this denial of information and still maintain that they're accountable and open and transparent. That is the worst hypocrisy

that this member has seen in a long time.

Thank you, Mr. Speaker. I'd like the motion upheld as presented.

[Motion for a Return 25 lost]

4:50

Electrical Power Revenues

M26. Mr. White moved that an order of the Assembly do issue for a return showing copies of all studies and reports prepared by the Department of Resource Development between May 25, 1999, and March 17, 2000, evaluating the potential aggregate revenues in the balancing pool, BP, from the auction of the power purchase arrangements, PPAs.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On behalf of the Minister of Resource Development I've been requested to reject this motion requesting copies of studies and reports evaluating potential aggregate revenues, if there were any reports of this nature. I would have to advise that one of the reasons for holding an auction is to allow the marketplace to determine the values of the PPAs, and the proceeds of auction would be held by the balancing pool for the benefit of consumers. Speculation by the government about how much revenue and provision of estimates about how much revenue would be derived from it may well be harmful to the auction process and not in the best interest of consumers.

[The Speaker in the chair]

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

MR. WHITE: Thank you, Mr. Speaker. There's something to do with bovines that comes to mind in dealing with that answer.

It is unbelievable that we are going through, as we speak, today actually – they have just broken up a meeting of the bidders in the power purchase arrangements in Calgary today. This government maintains that they cannot disclose any reports and estimates of a balancing pool. The member opposite hedged his bets and said: if there were any reports even. Well, if there are no reports, then this is the biggest pig in a poke that this government has ever, ever seen. In fact, this member has done all he can to find out about what actually is transpiring in this matter, and having gained a certain amount of expertise, I'm beginning to think, as many members of the public knowledgeable in these areas are, that this government is running purely and completely on ideology to move the electricity business from a regulated industry to a quasi-regulated, quasi market driven business. They're doing it totally and completely on the basis of ideology.

Now, one would think that way back in 1994, when this was contemplated and contemplated out loud, you would have some due diligence at the time and understand that if an option was to take place, some kind of divestiture of the assets would be in order and that it would be thought out at that time such that a decision would have been made whether this long process, this five-year process, would be successful. It hasn't been determined until July of this year, and even then we're not sure. Five years in the making has stalled all capital investment in the industry in the base load development power in this province. You'd make that determination then whether it could be done or not, without breaking up the forced divestiture of TransAlta, which currently holds 60 to 65 percent of the generation capacity. You'd think that that determination would be made then.

Then to get this far along and have the minister through the

Government House Leader say that there may or may not be reports and that if there are, they're held tight to the vest so that the rest of us can't see them – well, there are very few people in this province that are really interested enough to follow what the estimates of the balancing pool will be. In fact, to put a finer point on it, it's rather difficult for the average citizen to follow it. The balancing pool is in fact the net between that which is achieved by the power purchase auctions and the current costs in, which are determined already by the ITA and subsequently reviewed by the EUB. That being said, this is not a number that should not be disclosed. I mean, the bidders are going to review it and say, "Yes, maybe it is worth that or maybe it's not," but they certainly aren't going to change their bids because of an estimate.

In order to even go down this road, one would have to know what the costs are and what the expected realization is of the balancing pool. The balancing pool is the payback for us the citizens, that have supported the capital debt retirement of all of these facilities in the province under a regulated system. To do this transition, a balancing pool must have a substantial net positive balance in order to make it worth while. Otherwise, it would appear that the regulated system that we had prior, which, incidentally, guaranteed supply, which the current system does not appear to be doing, would be a much better system and should in fact prevail in the marketplace past July 1 and certainly be back in place on January 1 of this coming year.

Without this knowledge that this member is asking for in MR 26, if we don't have that information, the judgment can't be made. Quite frankly, the information will not affect any judgments of a purchaser in the power purchase arrangements, i.e. the bidders, and this member cannot see why this government wouldn't be open and accountable and set a bar, if you will, as to what is success in power purchase auctions and not.

Mr. Speaker, I would prevail upon the members present to vote in favour of this motion so as to truly be open and accountable to the people of the province of Alberta.

Thank you, sir.

[Motion for a Return 26 lost]

Electrical Power Revenues

M27. Mr. White moved that an order of the Assembly do issue for a return showing copies of all studies and reports prepared by the Department of Resource Development between May 25, 1999, and March 17, 2000, evaluating the potential aggregate revenues raised from the auction of the power purchase arrangements, PPAs.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On behalf of the minister of natural resources I would advise that the government is rejecting Motion for a Return 27. The rationale given is exactly the same as for 26, so I would ask members to refer to that and won't repeat it.

THE SPEAKER: The hon. Member for Edmonton-Calder to conclude debate.

MR. WHITE: The same arguments again apply, sir. The potential aggregate revenues are an estimate for the inputs to the balancing pool, and they have to have been studied. So either the government will not allow these estimates to be disclosed, in one case, which is way more secretive than is required in this matter, and/or they have

not done any study at all, in which case it would border on negligence on behalf of the people of Alberta.

I would ask that the members present support the motion and, again, be truly open and accountable to the people of the province of Alberta.

Thank you, sir.

[Motion for a Return 27 lost]

West Edmonton Mall Refinancing

M28. Mr. Dickson moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing a copy of excerpts of agenda and priorities committee minutes dated April 28, 1997, pertaining to the refinancing of West Edmonton Mall, WEM, as listed on page 40 of the affidavit of records of Her Majesty the Queen in right of Alberta, November 30, 1999.

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

MR. DICKSON: Thank you, Mr. Speaker. This document, again, is one of the documents that was disclosed in an affidavit of records. The deponent in the affidavit, the Assistant Deputy Provincial Treasurer and representative of the Crown, swore an affidavit of records on November 30, 1999, in action 9903-18469 in the Court of Queen's Bench, judicial district of Edmonton.

One looks at the first schedule. "The first part: showing records in the possession of the Crown which it does not object to produce." If we go through the catalogue of the first schedule, we see number 24. The document is catalogued as "Excerpts of Agenda & Priorities Minutes."

5:00

Mr. Speaker, the issue is the refinancing of West Edmonton Mall. The interest is in accessing documents that Albertans have paid for with their tax dollars, and there's nothing more basic than that. Nobody's asking for the government to do anything other than to let us see a document which is being freely distributed and used in the course of the litigation. I suppose that the minister would say: Member for Calgary-Buffero, you can go and sit in the courtroom and wait until this is used as an exhibit at some point in a six-week trial. It shouldn't be necessary to do that. Albertans have paid for this document.

It's only a document. We're not asking for the government to make a commitment, an analysis, or anything else. It's just a single document we're seeking. If the minister resists this, let him particularize specifically what legal impediment he is citing that would prevent Albertans from having disclosure of this document.

We see a very worrisome trend in a number of these things. Everything that's mentioned about West Edmonton Mall we see the government so anxious to put the shroud of secrecy over. In the words of George McClellan, the first Ombudsman in this province back in 1967: let's let a little sunshine into this dark corner of government activity. Let a little sunshine in. We'd all be better for it. Albertans will be better for it. Even the Minister of Justice is going to be darned happy. Once he's got the document out, he can say to his constituents that he believes in openness and he lives that principle. He doesn't just mouth it at election time, but he actually lives it in the work he does.

So with that, we're all waiting with bated breath to hear the minister rise and solemnly declare on behalf of the province of Alberta, on behalf of the government – will they let the sun shine in?

MR. HANCOCK: Well, Mr. Speaker, of course the government will let the sun shine in, but we're rejecting this question. The fact of the matter is that I'm a very strong advocate and members in this government are very strong advocates of the people of Alberta having access to information and in fact brought in, as the member has characterized himself, the strongest freedom of information legislation probably in the country. Information is shared on an ongoing basis and a daily basis with Albertans.

What this question is asking for is excerpts of an agenda and priorities committee minute. I think the member would be actually quite disappointed if he were ever to read agenda and priorities minutes. That aside, agenda and priorities is a committee of cabinet. Cabinet documents are subject to the usual rules relating to discussions in cabinet.

MRS. SOETAERT: Oh, they're not open to the public.

MR. HANCOCK: No, cabinet documents are not typically in any parliamentary system open for public scrutiny at the time of creation or for some considerable period of time thereafter.

However, the Auditor General has fully reviewed this matter, has had access to all appropriate documents, and has made a report based on those documents. There is a lawsuit ongoing, and in the fullness of time, in an appropriate contextual situation, all documents that are relevant to be disclosed will be disclosed in the course of that lawsuit. The people of Alberta have been well served by their Auditor General, will be well served by their court system. I'm sorry; I had to slip that in there, being the Minister of Justice and believing that the court system serves Albertans so very, very well. The people of Alberta are well served by this government on freedom of information, first of all, in the context of bringing the freedom of information legislation in and, secondly, in adhering to the concept of open government, open democracy, and – was it sunshine you wanted? – sunshine.

Thank you.

[Motion for a Return 28 lost]

West Edmonton Mall Refinancing

M30. Mr. Dickson moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing a copy of correspondence from Triple Five Corporation Ltd., N. Ghermezian, to Peter Elzinga dated February 14, 1994, pertaining to the refinancing of West Edmonton Mall, WEM, as listed on page 9 of the affidavit of records of the WEM corporate defendants, November 30, 1999.

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

MR. DICKSON: Thank you, Mr. Speaker. At this point I'm almost to the point of having to implore members of the Assembly. I'm going to have to go back tonight and report to my colleague for Edmonton-Glenora that on his behalf I tried to do what he normally does, and I hate to go back and say that I have been no more successful than he has. I want to implore members. My reputation with my colleague is on the line. I need a little assistance here. I need a little help on this last motion for a return.

It's the same kind of thing we've talked about in all the other ones. I'm not going to go through the particulars. It's the same issue. I would say this: if the Minister of Justice were as proud of the FOIP Act as I am, then he'd look at section 21, and that deals with cabinet and Treasury Board confidences. Do you know what he'd find? He'd find that that exception, firstly, is mandatory, but

it does not apply if it's information in a record of a decision made by the Executive Council. So once the Executive Council has made the decision, then under 21(2)(b) the exception falls. The exception doesn't exist anymore. Now what we've got is that the Minister of Justice wants to rewrite the law. He thinks section 21 doesn't go far enough. That would seem to be what he wants to do. Maybe we'll get some good advice from the minister responsible for the administration of the FOIP Act, but I thought we were all supposed to follow the law of the land.

Mr. Speaker, I'm anxious again to get to the vote. The Minister of Justice has done me no favour. I've already been embarrassed when I go to meet with my colleague for Edmonton-Glenora to report on my dismal success this afternoon on his behalf. My only hope is that I have to reach above and beyond the Minister of Justice. I have to implore colleagues on all sides of the Assembly to just give me a little bit of help here to be able to take one positive thing back to my colleague for Edmonton-Glenora. You know, members, we're doing it on behalf of the people of Alberta.

Thank you very much.

MR. HANCOCK: Mr. Speaker, again on behalf of the government I would reject this question. First of all, I'd point out that this question deals with a document which isn't even a government document. The hon. member hasn't brought that forward.

MR. DICKSON: It's in your production.

MR. HANCOCK: Actually, the question refers to the affidavit of records of the WEM defendants, so it doesn't look like it's in our production at all. It looks like it's in the production of the other party to the lawsuit.

That being said, Mr. Speaker, the hon. member opposite did ask for some help, and I would give him some help. We've spent a lot of time in the last session and a little time in this session on these types of questions, and the responses have always been the same. I'd give him a lot of help in terms of: perhaps he could ask questions for information that would be helpful to him, and we would be happy to respond with the information in an appropriate manner.

[Motion for a Return 30 lost]

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

Bill 207 Provincial-Municipal Tax Sharing Calculation Act

[Adjourned debate April 5: Mr. Paszkowski]

MR. PASZKOWSKI: Mr. Speaker, as I indicated last week, I'm pleased to be involved in the discussions regarding this particular bill. We've been working with municipalities as partners, and we find that we have a process in place in working with the municipalities to determine the physical challenges. They are basic.

Most recently we met with the two municipal umbrella organizations to talk about municipal/provincial financial issues, and we have agreed to work together as partners to try and deal with the issues at the table in developing long-term and lasting solutions. We're reviewing the education property tax. We're reviewing the farm assessment and taxation. We're developing new rates and schedules for the assessment of linear property. All of these initiatives have an impact on municipal sources of revenue. They have a very direct impact.

The Leader of the Official Opposition spoke about allowing local

governments to determine infrastructure priorities. We're not just talking. We're doing something. Just last week we provided a million dollar grant to the development of a new web-based computer system to help municipalities judge the condition of their infrastructure. It's important to know existing conditions and future pressures on the order of setting priorities on infrastructure. Those are indeed long-range capital requirements and fit into the municipal long-range capital plans.

5:10

When my colleagues and I toured the province last summer, municipalities told us that there were pressures that needed to be addressed, pressures like roads, water and sewer, transportation issues, wastewater issues. We met with the municipalities, Mr. Speaker. We listened and we took action. This government is making a substantial investment in areas that are a priority to Albertans and meet the needs of the municipalities. We've put in \$425 million in 1999-2000 and \$475 million in 2000-2001. With this funding guarantee local authorities can allocate the accelerated dollars to their key infrastructure priorities on a preplanned basis over the next three years.

Government took over financial responsibility of all secondary highways and keeps primary highways along with major trade corridors through the cities. We also provided additional funding for water and wastewater facilities, reservoir projects, health facilities and other health projects, capital renewal and postsecondary institutions, environment and agricultural capital infrastructure, rural road studies, and to improve training of fire and disaster services personnel.

The hon. opposition member talked a great deal about the roles and the responsibilities. We've already agreed to work with the municipalities as partners in clarifying provincial/municipal roles and responsibilities. In fact, Mr. Speaker, it's in our business plan.

The Leader of the Opposition stated that according to Statistics Canada, provincial grants to municipalities went down between 1992 and 1998, when in fact the 2000-2001 budget shows that provincial funding to municipalities is the highest it has been in the last 10 years. The Liberal leader also alluded to an increase in education property taxes between '95 and '99. We listened. In fact, from '95 to '99 basic education spending – and that includes K to 12 – increased \$693 million and is continuing to increase. Education funding comes from education property taxes and provincial general revenues. It's important to note that the proportion of education funding derived from education property tax revenues has decreased from 50 percent in '94-95 to 38 percent this year. The facts speak for themselves.

Let's take a closer look at what the Liberals are saying in comparison to what is actually in the bill. The descriptive rhetoric used by the hon. member to describe this bill in no way reflects the speculation that appears in the paper. Indeed, Mr. Speaker, there is no resemblance between what's in this paper and what is being needed. The Liberal news release:

Bill 207 would provide local governments with access to a portion of the provincial personal income tax base in order to create more stable and effective funding arrangements.

Mr. Speaker, nothing is further from the truth. This bill could not do this even if it were passed. In fact, eliminating grants and relying on a source of income that can be unpredictable and uncertain would create a situation where funding to municipalities would reflect the volatility of this tax base.

This government has committed to ensuring that Albertans pay the lowest income taxes in the country and has even speculated about the possibility of eliminating provincial income taxes altogether. Where would that leave the municipalities?

Also, the bill actually before us gives us no idea of the method of the allocation to municipalities. Would it be allocated on a per capita basis? Would it be based on personal income taxes paid by the municipality residents? Would it be pooled and redistributed based on the equalization of need formula? Would this income tax revenue be a replacement for other sources of revenue, or would it be in addition to what municipalities already receive from the province? Nowhere does it show it in the bill.

If funds were allocated based on the place of residence, rich communities would get richer, and poorer communities would obviously be the ones that keep getting poorer and poorer and poorer. In fact, it could result in rural municipalities receiving comparatively very little income with such an approach. What if the amount of revenue allocated isn't enough? How would that be handled?

As you can see, this bill raises more questions than it has answers. Without these basic details it would be difficult, if not impossible, to provide a report that would be of any use. So how could you develop a report that could be of use and be functional? In its present form this is not a bill worth considering or debating. Most importantly, Bill 207 is not consistent with the collaborative approach we have taken in dealing with our municipal partners, and indeed, working with our municipal partners is the best solution.

Mr. Speaker, it's always worth while to look at other ways of doing things because that's how you improve and that's how you

better yourself. Certainly that's the approach this provincial government is taking, and that's the approach that our municipal partners are anxious to participate in. This is the approach that we are using: working in partnership, working together, and working in all areas for the betterment of the province. I've said – and I mean it – that the municipalities are the foundation of this province, and the stronger the municipalities are, the stronger this province will be.

Working in partnerships in developing the solutions for long-term, long-lasting solutions, solutions that work, solutions that indeed are actually applicable to work with the success of municipalities is the process we want to work with. We're listening to the municipalities' needs. We're listening to their causes. Indeed, this summer we'll be traveling and meeting with the municipalities again to hear what their specific needs are. We want to hear from every municipality in this province what their specific needs are so that we can work with them. I'm looking forward to it. In our consultative process we've been able to keep the municipalities strong in the past, and we look forward to keeping the municipalities even stronger as we build a better and stronger province.

At this time, Mr. Speaker, I'd like to move adjournment of debate.

[Motion to adjourn debate carried]

[The Assembly adjourned at 5:20 p.m.]

