

Legislative Assembly of Alberta

Title: **Thursday, March 14, 2002**

1:30 p.m.

Date: 02/03/14

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom. Amen.

Please be seated.

head: **Introduction of Guests**

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly two constituents of mine from Edmonton-Whitemud. With us today in the members' gallery is Colin Minor and his daughter Tess Minor. Tess is a grade 6 student from Earl Buxton elementary school, located in Edmonton-Whitemud. I had the great pleasure of meeting with Colin and Tess just prior to question period today. Tess is a wonderful student and is very excited about having the opportunity to come to the Legislature today and learn about government. I might advise the House that during a brief respite from school in February, Tess had the opportunity to attend the Salt Lake 2002 Olympic Games and watch the Canadian hockey team play. I'd ask Colin and Tess to rise and receive the traditional warm welcome of this Assembly.

MRS. McCLELLAN: Mr. Speaker, I have the pleasure of introducing to you and through you to members of the Assembly 18 grades 5 and 6 students from Amisk school. Amisk is a beautiful little farming and ranching community on the east side of our province, known to many as the home of Blaine Pederson, world champion steer wrestler. These students came to my office. We had a great little visit with their teacher and parents, who are teacher Mrs. Hilary Gray, parents Carol Anholt, Wendy Stankieveh, Gail Barnes, and Shelley Walters. I would ask that these bright and eager students and their guests rise and receive the very warm welcome of this Assembly.

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

MRS. ADY: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you a school group from Trinity Christian school, which is nestled in the heart of my constituency in Midnapore. They are accompanied by their teacher, Mr. George Graffunder, and by parent helpers Mrs. Judy Kolk, Wendy Burnside, Joyce Verhoeff, Kirk Beacom, Donna Horton, and Art Ziegler. They are located in the members' gallery, and I'd ask them to rise and receive the warm welcome of this Assembly.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's my honour today to introduce to you and through you to members of this Assembly 24 students from Sir George Simpson junior high school in St. Albert. They are seated in the public gallery, and they are accompanied today by their teacher, Carolyn Harrison, and accompanied by some parents as well: Margot Konowalchuk, Kim Kisko, Mrs. Thompson,

and Mrs. Fenton. I would ask them all to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you to all the members of this House 22 very bright students from Thorsby high school. Now, the town of Thorsby is known as the best of both worlds because you have the safety and beauty of a rural area but you're close to the amenities of the city. While here in the city today these students visited our excellent Sixties exhibit at the Provincial Museum, and now they're here to visit our House. They are accompanied by their teacher, Mr. Al Bratland, and they're seated in the public gallery. I'd ask them to rise and receive the warm welcome of the House.

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

DR. MASSEY: Thank you, Mr. Speaker. It's with pleasure that I introduce to you and through you to all members of the Assembly Janet Laddish. Janet is the provincial vice-president of the Alberta Teachers' Association. She's here for question period. With permission I'd ask Janet to stand and receive the traditional warm welcome of the Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Centre.

Public Safety

MS BLAKEMAN: Thanks very much, Mr. Speaker. My questions are to the Solicitor General. Why has the Solicitor General refused to hire 22 more parole officers to adequately supervise parolees and keep Albertans safe?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. I'm pleased to answer the hon. member's question. Albertans are safe, and the Solicitor General and our government will keep Albertans safe.

I'd like to let the hon. member know that I met with probation officers from the community corrections committee a few weeks ago and had several issues on the table. Noon hour office closures they wanted: agreed with that. Probation officer workload reductions: agreed with that by instituting case aides to deal with the lowest of minimum security. Enhanced training: looked at that but some of the enhanced training we will all co-ordinate through the province at the staff college. Establish a provincial judiciary corrections joint committee: moved ahead with that. Their formats standard: moved with that. We moved ahead. On the 22 correctional officers: with the case aides, Mr. Speaker, that will reduce their workloads.

MS BLAKEMAN: Again to the Solicitor General: did the Solicitor General discuss at this meeting with parole officers two weeks ago changes that would drop dangerous criminals, including sex offenders, into groups that check in less frequently?

MRS. FORSYTH: No, Mr. Speaker, I didn't. I'd like to refer to a letter that was dated March 1, 2002, to all probation officers. "On a limited pilot basis in selected locations, we will be exploring the amendment of supervision standards for offenders on probation who have not been identified as high risk or high profile."

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Again my question is to the Solicitor General. Does the Solicitor General believe that women and children in Alberta will sleep better knowing that sexual predators are going virtually unsupervised?

MRS. FORSYTH: You know, Mr. Speaker, I have to say something as a member of this Legislature who worked very hard on bringing child prostitution legislation into the Assembly, the first in Canada. Secondly, as a member who attended the federal/provincial/territorial meeting and had the federal Solicitor General, your federal Solicitor General, who refused to move on a national sex offender registry move forward – you should talk to them. No, I'm not jeopardizing children or any Albertan in this province.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. Again my questions are all to the Solicitor General. Is the only criterion the minister considered in this pilot project that was discussed the cost-saving benefits instead of the safety of women and children in Alberta?

MRS. FORSYTH: Mr. Speaker, I'm going to speak very slowly. The recommendations that you are asking about came from committee members, including union representatives. It's what they wanted. No, the Solicitor General is not jeopardizing children or Albertans in this province.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. What other criminals with a history of violence – wife beaters, armed robbers – will no longer be considered high-risk offenders and will be reporting in less frequently?

MRS. FORSYTH: The Solicitor General does not make the criteria for the probation officers. The probation officers are the professionals. They're the ones that determine the high-risk, high-profile offenders. They are the people that determine the reporting requirements, when they are required to report to the probation officers.

THE SPEAKER: The hon. member.

1:40

MS BLAKEMAN: Thank you. Given that not only are parolees checking in less often but they will be reporting to a less qualified case aide, what guarantees does this minister have that these less qualified workers will not just rubber-stamp the files?

MRS. FORSYTH: Well, you know what, Mr. Speaker? There we go. I know where the confusion is coming from now. Parolees are a federal responsibility. We deal with probation officers; the feds deal with parole and parolees.

MS CARLSON: Mr. Speaker, my questions are to the Solicitor General. Why in the Legislature yesterday did the Solicitor General state that there would be no changes to the frequency of reporting for sex offenders when today she confirmed that this is in fact happening?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Okay, Mr. Speaker. I will table this letter dated March 1, 2002, to all of the probation officers. "On a limited pilot basis in selected locations we will be exploring the amendment of supervision standards for offenders on probation who have not" – not – "been identified as high risk or high profile." I'd be pleased to table the letter later.

MS CARLSON: Mr. Speaker, as the sex offenders are now considered to be low risk and there is a pilot project in place, in fact she did mislead this House yesterday. Is the Solicitor General aware of her obligations as a minister and the penalties associated with breaking the public trust and not actually telling the truth on this floor?

MR. HANCOCK: Point of order.

MRS. FORSYTH: Mr. Speaker, I guess the member isn't understanding what I'm saying. First of all, most of the sex offenders in this province that are on probation, not parole, are considered high-risk or high-profile offenders. That categorization has not changed. Minimum categories, if she's talking about minimum categories, that probation officers determine could be as simple as shoplifting.

MS CARLSON: The facts still stay the same. Yesterday she said one thing; today she says another thing. Given that the record clearly shows that this minister denied what she knows to be true, will she apologize or will she take the proper steps and not be found in contempt by actually resigning?

MRS. FORSYTH: Mr. Speaker, this minister is responsible for the safety of Albertans, and I will not jeopardize that safety. The sex offenders designated as high risk or high profile will be reporting with the same standards as they always have. Let me repeat that it's the probation officers that make that determination, not the Solicitor General.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Clover Bar-Fort Saskatchewan.

Teachers' Arbitration Legislation

DR. PANNU: Thank you, Mr. Speaker. Last night under cover of darkness the Tory government rammed Bill 12 through the Legislature. This infamous bill contains many provisions similar to the ones that have already been ruled illegal in a November 2000 ruling, CUPE versus Minister of Labour, by the Ontario Court of Appeal. Given that the government's case regarding the back-to-work order was virtually laughed out of court, Albertans have ample cause for concern that Bill 12 may be in legal trouble before the ink is even dry. My question to the Minister of Justice and Attorney General: did the Justice minister review the Ontario Court of Appeal's decision striking down the Harris government's arbitration process for their province's hospital workers?

MR. HANCOCK: Not personally, Mr. Speaker.

DR. PANNU: Oh, surprise, surprise. I wonder why the minister didn't know about the Ontario Court of Appeal decision.

My question to him: can the minister explain his failure to inform the House that the Ontario government's significant financial interest in the arbitration outcome was a factor in the court striking down the legislation?

MR. HANCOCK: Well, first of all, Mr. Speaker, the preamble to the

supplementary, which isn't supposed to be there, is wrong. I didn't say that I didn't know about the decision. He asked me if I'd personally reviewed it. I hadn't personally reviewed it, so I answered him honestly. We do have lawyers in the department who do that sort of thing. I can't possibly read every case that comes out. If the hon. member had thought that that case was relevant to the debate – and I'm not sure that it was – he had just as much obligation as anyone else to bring it to the floor of the Legislature during the debate.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Will the minister tell the House why, after his case to support the back-to-work order was virtually laughed out of court, Albertans should have any confidence that Bill 12 will stand up in court?

MR. HANCOCK: Well, Albertans should have confidence that Bill 12 will stand up in court because the Legislature has not only the right but the obligation to make legislation on behalf of Albertans and does that in the context of the jurisdiction which is granted by the people.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Edmonton-Riverview.

MR. LOUGHEED: Thank you, Mr. Speaker. Some concerns have been expressed by a few teachers and perhaps the ATA and some others, concerns with respect to the arbitration legislation, that it will take away the right of teachers to assemble or talk about their labour situation. It may be somewhat imaginative, but some of these suggestions go along with things like they'll be unable to go out for lunch together, assemble in the staff room, go to a movie, or that even spouses, both of whom may teach, wouldn't be able to talk about the labour situation. My question to the Minister of Learning: can you advise whether or not the teachers' right to assemble has been limited under this legislation?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. I've got a couple of points that I want to answer this with. First of all and right from the outset I want to say that there's absolutely nothing in this legislation that limits a teacher's right to assemble in any fashion at all.

The other thing that I do want to say, though, is that I commend those teachers for putting forward the initiative to ask for more information about this bill. I think it's absolutely great to give us a chance to clarify some of the myths and misperceptions that are out in the public.

If I may, Mr. Speaker, I'll just read the phrase from the bill that has some controversy associated with it. What it says is: "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer." Under section 18 of the School Act a teacher's responsibilities include anything that is assigned to them by their principal or the school board, which in this case is the employer. This component of Bill 12 is taken directly from the School Act and the labour act when it applies to the definition of a strike. It in no way – in no way, in no way – states that teachers cannot assemble.

MR. LOUGHEED: Again, Mr. Speaker, to the same minister: can the teachers participate in any type of job action such as limiting voluntary services or perhaps not working with student teachers?

DR. OBERG: Mr. Speaker, this Bill 12 is about the importance of educating the students in the classroom. There is no right that is taken away from the teachers to withdraw their extracurricular activities. They can do that. I certainly hope that they don't. I think that extracurricular activities are a very important part of the scholastic environment. However, this bill deals with the teachers and the learning environment of the classroom. There is one exception to this rule, which is Calgary Catholic, which has a clause specifically outlining the extracurricular activities. So apart from that, it would be extremely unfortunate if the teachers decided to work to rule, to limit their extracurricular activities, but there's nothing in this bill that prohibits it.

THE SPEAKER: The hon. member.

MR. LOUGHEED: Thank you, Mr. Speaker. Beyond that, I'm wondering if as the Minister of Learning there are any concerns about any other forms of protest.

DR. OBERG: Well, I can answer that in a couple of ways. First of all, it's any Albertan's right in this society to protest. That is something that this government honours and something that this society honours. So there certainly is the right to protest, and in no way has this taken away from it, nor would have I ever put forward a bill that would take away that right. Mr. Speaker, we do hope, though, that the teachers' activities are spent in the classrooms, that the teachers go back to the classrooms with the same ability and the same authority and the same good work that they've been doing for the last 50 years in Alberta classrooms. It's extremely important. We're talking about the future. We're talking about education. We're talking about our kids. As someone who has kids in the education system, to me as Minister of Learning there is nothing that is more important than that.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

1:50

Closure of Acute Care Beds

DR. TAFT: Thank you, Mr. Speaker. Yesterday the government confirmed that it is looking at closing or converting acute care beds in rural Alberta. My questions are to the Minister of Health and Wellness. Will the government commit now that no public rural health care facility will be sold to for-profit corporations?

MR. MAR: Mr. Speaker, I'll give no such assurance. Of course, hospital facilities like the Holy Cross in the city of Calgary were in fact sold to private interests but are not operating as hospitals. So if the hon. member is seeking assurance that we will not allow private hospitals to operate anywhere in the province, I can give him that assurance, but I will not give him the assurance that such properties could not be sold to private interests for use in some other area.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Can the government guarantee rural Albertans that for every acute care bed closed, a long-term care bed will be opened?

MR. MAR: Well, we do rely upon regional health authorities, Mr. Speaker, to make decisions about the appropriate types of services that will be provided in regional health authorities throughout the province. In many cases regional health authorities have already

made decisions to convert acute care facilities into long-term care facilities, which is a much more cost-effective way of dealing with the real needs of the people that they actually serve. Regional health authorities are charged with this responsibility. We encourage, of course, that regional health authorities do take into account the real needs of the people that live in their areas and make choices about what sorts of services to provide.

DR. TAFT: Why are rural Albertans being hit with a double whammy by closing acute care beds at the same time that other RHAs, like the Calgary health region, are limiting access for rural patients?

MR. MAR: Well, Mr. Speaker, there is not a limiting of access by centres like the Calgary regional health authority or Capital. The fact is that there is, of course, a large number of people that are seeking access to such facilities right now. It's the flu season, it's winter, it is busy, and those people who have acute or urgent needs are dealt with immediately. It matters not whether they're from the city of Calgary or whether they're from some other part of the province of Alberta.

With respect to the utilization of some of these facilities in rural Alberta, there are many such facilities. The utilization rate of them as acute care facilities – I think it's a legitimate question to be asking: should RHAs be considering looking at the utilization rate of certain types of acute care facilities and perhaps considering changing them over to reflect the real needs of the community?

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Mill Woods.

Teachers' Arbitration Legislation (continued)

MR. HORNER: Thank you, Mr. Speaker. After many discussions with educators and trustees in my area who have been following the debate on the Education Services Settlement Act, I understand that there is considerable concern and confusion about section 39(1), where it would seem to preclude these boards from negotiating other items, which they may want to do. My understanding is that the boards and the local bargaining units can negotiate side agreements on any area they choose. Could the Minister of Learning please clarify this point?

DR. OBERG: Yes. Quite simply, Mr. Speaker, the hon. member is absolutely correct. For example, on pupil/teacher ratio, hours of instruction, or classroom size, which have been specifically taken out of these collective agreements and prohibited from the arbitrator looking at them, if they wish to do that in a sidebar agreement or a letter of understanding, a memorandum of understanding, they are quite capable, and it is very easily done. From a union point of view, these letters of understanding are grievable.

Mr. Speaker, while I have the floor and speaking about negotiations, I just want to inform the Assembly that this morning we had another two school boards who have tentatively signed agreements with their teachers.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My supplemental is to the same minister. Does the Education Services Settlement Act restrict in any way the boards which are not listed in the act?

DR. OBERG: Mr. Speaker, that's an excellent question. The boards that are not listed in the act and the boards that I just talked about as having settled are not restricted by this act at all. There was, I believe, nine boards who had a contract in place until September of 2002. There are another four or five boards that have already settled and ratified. The restrictions for the arbitration that are in here in no way apply to these boards.

THE SPEAKER: The hon. member.

MR. HORNER: No more, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-East.

DR. MASSEY: Thank you, Mr. Speaker. Government actions in recent days and months have deeply affected and outraged teachers. To say that morale is at a new low in the profession is an understatement. My questions are to the Minister of Learning. Yesterday the minister indicated that we have the best system because teachers, students, and the department worked so well together. Does the minister believe he can still depend on the co-operation of the teachers?

DR. OBERG: Mr. Speaker, the best way to answer that is that I believe teachers are professionals. I believe they want what's in the best interests of the students. I believe it is in the best interests of all Albertans for us to have an excellent education system, and I strongly, strongly feel and agree that the combination of the collaboration that occurs between the department, the school boards, the teachers, the students, and the parents is extremely important: one of the reasons why we have the best system in the world.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker. Yesterday the minister told the House that the school system will enter "a period of stability" in education. Does he really believe that the government's actions in the last weeks have led to stability?

DR. OBERG: Mr. Speaker, the press release from the Alberta School Boards Association stressed that there would be a period of stability here from a labour point of view, and I think that when we're talking about contracts, when we're talking about contracts being settled, we will have a period of stability.

I think there's a more important issue here, and that is the issue that was alluded to in the first question that the hon. member asked. That's the whole idea of working together, of coming forward for Alberta students. I trust that teachers are professional. I trust that they want the best for students, as this department does, as this government does, as this minister does. I hope that we continue to work together and do programs such as the Alberta initiative for school improvement, such as Safe and Caring Schools, all of these initiatives where we work together. I hope that that continues.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker. Yesterday the minister indicated that we will have labour peace because of Bill 12. Does he really believe that we will have peaceful labour relations in this province?

DR. OBERG: Well, Mr. Speaker, the teachers have been without a

contract since September of 2001. Over that time frame there was lots of time for negotiation, lots of time for mediation. The Alberta Teachers' Association came to the Premier and subsequently to me and asked for binding arbitration in legislation. The Alberta School Boards Association came to the Premier and subsequently to me and asked for the same thing this one time only. They felt that negotiations were at an impasse. We cannot have the teachers going on without a contract ad infinitum. The labour situation will settle down, and contracts will be settled.

Mr. Speaker, the Premier would like to make some comments as well.

MR. KLEIN: Mr. Speaker, basically, the comment relates to the question, but it's a question to answer the question. What would the Liberals do? You know, it's an interesting question. Would they simply say, "Oh, they've asked for 20 percent; here's 20 percent"? That's the indication I'm getting, that the Liberals would say, "Oh, they want 20 percent; we will just give them 20 percent," not knowing the pressures on infrastructure, not knowing the pressures on health, not knowing the pressures on transportation, on children's services. They keep saying, "This is underfunded, that's underfunded, and something else is underfunded," and then in the same breath they say, "Oh, you're spending too much money." I would love to know what their solution is, not that I would ever want them in the position to make a decision – and they never will be – but I would like to know. I'm very curious.

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

2:00

Immigration of Skilled Workers

MR. AMERY: Thank you, Mr. Speaker. My question today is to the hon. Minister of Learning. At a recent meeting with the Calgary Home Builders' Association concerns have been raised by the association members about the length of time that it's taking them to build a house due to the shortage of skilled workers. The newly proposed immigration regulations by the federal government for skilled workers are very restrictive and will hinder potential skilled immigrant workers from coming to Canada. Could the minister outline the Alberta position to Albertans in regards to the newly proposed selection criteria for skilled workers and how it's going to affect the province and its industries?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. That's an excellent question. Bringing people into Alberta, especially skilled workers, is a priority of this government. We have to have more workers. We have to have people that are working in, as the hon. member said, the home building industry. We have really had – and I really hesitate to say this because it is so unlike me – a good relationship with Canada immigration services. The two ministers that I have dealt with have been extremely good. If there are issues where we need the skilled workers, what we have done is recently signed an agreement called the provincial nominees program. We are piloting this and will be bringing this forward. If I may, that program will be included under the Minister of Economic Development, so I would ask him to supplement my answer.

MR. NORRIS: Well, thank you very much, Mr. Speaker. As I said yesterday in the House, this is a wonderful problem to have. In

order to address it, we have listened to business concerns and we've embarked on the PNP, which stands for the provincial nominees program, which my hon. colleague related. What that does is allows the Alberta government in conjunction with the federal government to target specific areas and skill sets, to go out and speed up immigration. The federal government will still be responsible for the criminal and health checks, but then the file is passed to us. With our contacts throughout the world we know what areas are in a bit of an economic slump, and we can target them and bring skilled workers into Alberta quicker, addressing the needs of a white-hot economy.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Since the two hon. ministers have answered my second question, I'll ask my third question. Given that the province of Quebec has been managing its immigration policy for a long time and has direct control over who comes in and how many people come in, would the province of Alberta consider doing the same?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker, and that's an excellent question. We have not considered doing the same for a couple of very important reasons. First of all, it would be extremely expensive for us to set up our own immigration policies. Second of all, we would have to have offices all over the world in order to screen these people, and that is something that – again I find myself in a position I'm unaccustomed to – I will say that the federal government does a very good job at. We will help the federal government in whatever we can. They have been very good to work with on this particular portfolio, and I look forward to continuing to have that working relationship with the federal government on immigration, because as the Minister of Economic Development has stated, it is a very, very important issue for the workers of this province.

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

Gaming and Liquor Commission Employees

MR. BONNER: Thank you, Mr. Speaker. The gaming industry in Alberta is an important source of revenue for this government, a gold mine to fill the coffers. This government has invested a lot of resources to protect it. My questions today are to the Minister of Gaming. Can the minister confirm if workers employed by the Alberta Gaming and Liquor Commission in the installation and servicing of the VLTs and slot machines are now designated as inspectors under the Gaming and Liquor Act?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The current situation with respect to inspectors is that we have about 40 of them. In addition, we have about 21 people who do investigations, and then we have a group who does the servicing of the electronic devices that the question dealt with.

MR. BONNER: Also to the same minister, Mr. Speaker: if these field technicians are working on behalf of the Alberta Gaming and Liquor Commission but as direct employees of a slot machine

supplier, can the minister still say that he has control of industry inspection through these inspectors?

MR. STEVENS: Mr. Speaker, the answer to the first question I thought would have dealt with the second question, but to deal with the question more directly and specifically so that the hon. member understands the point, the employees who service the machines are not inspectors, they are not investigators, but they are employees of AGLC.

MR. BONNER: To the same minister: are these VLT repair technicians and inspectors classified as essential service workers?

MR. STEVENS: The contract with the employees of the AGLC contains provisions with respect to their ability to strike, and my recollection is, Mr. Speaker, that under the terms of that contract they do not have the ability to strike.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Rutherford.

Prior Access to Budget Information

MR. MASON: Thanks very much, Mr. Speaker. Parliamentary tradition dictates that the contents of the provincial budget are not to be released prior to the Minister of Finance getting up in the Assembly to begin her budget speech. The only exception is for the news media and opposition members. However, the New Democrats have learned that a handpicked group of government friends and insiders are being given prior preferential access to next Tuesday's provincial budget. So to the Premier: does the Premier think it is acceptable that a handpicked group of Tory friends and insiders is being given preferential access to the detailed contents of next week's budget while those who may be critics of the government's policies are denied similar access?

MR. KLEIN: Mr. Speaker, I don't know that to be true, and I don't believe it to be true. Undoubtedly, on budget day groups are brought in – and I believe the opposition is brought in as well – on an embargoed basis to review the budget. I know that the media are brought in to review the budget and certainly are given a technical briefing on an embargoed basis, but that occurs on budget day.

Relative to the minister having this so-called or alleged hand-picked group of people, I don't believe that to be true, but I'll have her comment.

THE SPEAKER: The hon. minister.

MRS. NELSON: Well, thank you, Mr. Speaker. The Premier has basically covered the answer to the question. I'm surprised that this has been raised by the members opposite, because there is a very detailed, embargoed technical briefing that is normally done on budget day. Members of the opposition parties are invited to have some technical briefing prior to the budget, and groups that are affected do come in and hear about their little particular areas, but they're embargoed. The overall budget presentation, though, is made within this Assembly.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Could the minister, then, tell the Assembly whether or not organizations like the Taxpayers Federation, the Association of Petroleum Producers, or other similar

organizations are given a briefing in advance of the release of the budget?

MRS. NELSON: Well, Mr. Speaker, I know that there have been requests from a number of groups to be a part of the technical briefing that does take place with the media and to be joining it, but that is a group that is carefully embargoed, and we have not enlarged the group. We've kept it as a media briefing, as to our tradition. So we wouldn't be doing that.

MR. MASON: Well, Mr. Speaker, you'd have to be around here a little while to actually understand that the answer was yes.

Mr. Speaker, I would like to ask the minister if other groups, including people who may disagree with government policies such as antipoverty groups, housing organizations, trade unions, and so on, will be given similar access?

MRS. NELSON: Well, Mr. Speaker, I thought I made it clear. Hello? Wake up. We won't be doing that.

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

2:10

National Infrastructure Program

MR. McCLELLAND: Thank you, Mr. Speaker. My question is to the Minister of Transportation. As the minister is aware, the federal government has announced a \$2 billion national infrastructure program, some of which may be dedicated to transportation. My question is: what is the government doing to ensure that Alberta receives its fair share of this \$2 billion national program?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. Upon hearing of the announcement made by the federal Finance minister, the Hon. Paul Martin, we had consultations on two levels: one with the deputy, who had traveled to Ottawa and worked with other deputies from other provinces, and with the federal government to try and build criteria as to what this fund should actually support. Upon his return, Hon. Dave Collenette, on passing through the city of Edmonton a week and a half ago, graciously invited this minister for just a quick lunch, and we had the opportunity to discuss some of his ideas with respect to this particular fund. At that time, he indicated to us that there is a project that may be contemplated for support in Quebec – it's a freeway project – and one in Ontario. Although the criteria haven't been cemented in place, they are looking at possibly including infrastructure like convention centres, for which, you know, there is some interest in the province of Alberta in terms of advancing those for support. He had also advised us that he will continue to consult municipalities and provinces, although this program is not the same as the infrastructure Canada/Alberta program, ICAP, which dictated that the province supports a third and the municipality or a third party supports a third. This would be supported by the feds with possible participation from the private sector.

We indicated to the minister that we have our own freeway projects that we feel are integral. We're also interested in building those strategic economic corridors, especially to the last frontier, northern Alberta, for extracting resources. We also raised the issue about the roads through our national parks and that many of them require maintenance. We left it on the basis that we will certainly talk further to each other.

Our next step is to write a letter to the hon. Deputy Prime Minister and also to our friend here in Alberta, Hon. Anne McLellan. I also would ask for the hon. member's tremendous experience, coming from Ottawa, and also ask for his help in meeting with the two ministers as well as the capital city caucus chairman.

Thank you.

THE SPEAKER: The hon. member?

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Glenora.

Disabled Persons' Access to the Legislature Building

MR. MacDONALD: Thank you. Regardless of why they were made, the Solicitor General's security changes here at the Legislature do pose challenges. Now, I know that you, Mr. Speaker, are the responsible authority for the Legislature, but my concerns are with the security arrangements brought about by the Solicitor General, so my questions are to the hon. minister this afternoon. Why did the Solicitor General make the loading dock at the centre of this building the handicapped entrance when the corresponding parking is way over at the end of the east wing?

Thank you.

MRS. FORSYTH: Well, Mr. Speaker, as I explained to the Assembly yesterday, I have had no complaints from the disabled. But I would like to tell the hon. member from his question to me yesterday that one of the things we're looking at for the disabled is putting in clearly marked signs and looking at possible other access. So all we need to know in this government, if there is a problem for the disabled people, is to bring it to our attention. I can also tell the member that the Premier's Council on the Status of Persons with Disabilities meets here all the time, and we have never had a complaint from them about the security in this building. The security people that are in this building do a very good job.

MR. MacDONALD: Mr. Speaker, again to the same minister: given that public policy that's complaint driven is bad policy, why did the Solicitor General make the loading dock, with its very, very steep ramp, the handicapped entrance when the east-wing entrance has such a gradual, gentle decline?

Thank you.

MRS. FORSYTH: You know what, Mr. Speaker? I have to say that I have not had one complaint about this issue. I explained earlier that there are many disabled people that access this building. The chair for the disabled has not brought it forward in regards to all of the meetings he's had here. If there's a complaint, please, hon. member, let us know.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again to the same minister, Mr. Speaker: how much was spent? How much of the tax dollars of this province was spent on the security so-called improvements that created these problems of inaccessible access for the handicapped to their own public building, this Legislature?

Thank you.

MRS. FORSYTH: Again, Mr. Speaker, I have had no complaints from the disabled. I again want to emphasize the fact that if there is a concern from a disabled person in this province, have them call me. I have spoken to the security people around here, made them

aware of the questions that came from the hon. member yesterday and the complaint about the box. They're checking that, and we will look into it.

THE SPEAKER: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Whitecourt-St. Anne.

Programs for Abused Seniors

MR. HUTTON: Thank you very much, Mr. Speaker. I was doing some Liberal research this morning – I read the *Edmonton Journal* – and I did get concerned about an article I read that there's a shelter for abused seniors operated by the Society for the Retired and Semi-Retired in the city of Edmonton that is in jeopardy because of a lack of funding. The provincial government has turned down a request for funding to keep these shelters open. My question is to the Minister of Seniors. Where are these seniors who are suffering abuse supposed to turn if you won't provide funding to keep these shelters open?

THE SPEAKER: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Speaker. I must point out that the Ministry of Seniors has considerable interaction with the society, and I might state that, to the best of my knowledge, for this particular project there has not been a request to the ministry or to the government for funding before the project was initiated nor now. I've got the information through the media. There are other projects that we've had under discussion with them. However, I would like to point out that it implies that we're not concerned about abuse, and that's certainly not true. We have a variety of departments in government which do deal with people in crisis. For example, Alberta Human Resources and Employment I believe funds some \$13 million for the homeless, providing some 1,300 beds and 400 and some odd mats for them. Alberta Children's Services supplies well over \$12 million for various shelters also, and we have AADAC and Justice all involved in it. The issue of seniors' abuse is a very serious one, and as I'd indicated before, if there is a solution that's required there, we'll sit down and work with any other interested bodies.

THE SPEAKER: The hon. member.

MR. HUTTON: Thank you, Mr. Speaker. My supplemental question is to the same minister. Are you aware if charges are being pursued against alleged abusers, and if they are not, is the minister going to pursue them?

THE SPEAKER: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Speaker. That particular point is a very, very valid one, of concern to me specifically. When we do have people who are subjected to abuse, this implies that there is some criminal intent happening. If that is in fact the case, I personally would like to meet with the proper authorities to see if charges have been laid and if not why not. In the future when we have these people who've been subjected to very, very unfair treatment, if it is in the least way of a criminal nature, I personally, and I hope with the support of my colleagues, would be pursuing some sort of criminal action against the perpetrators.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Lac La Biche-St. Paul.

Softwood Lumber Trade Dispute

MR. VANDERBURG: Thank you, Mr. Speaker. In my constituency of Whitecourt-St. Anne the forestry industry is the major employer. Recent events in the ongoing softwood lumber dispute seem to be heating up. I understand that provincial ministers met with their federal counterparts in Ottawa yesterday. Today the Prime Minister is meeting with the President of the United States on a wide range of issues including the softwood dispute. My first question is directed to the Minister of International and Intergovernmental Relations. Would the minister please update the Assembly and all Albertans on the status of the discussions. Is there an end in sight?

2:20

MR. JONSON: Mr. Speaker, in the last few weeks we have had considerable discussion with the United States' representatives, both in conjunction with other provinces and with the federal government, but particularly with respect to the file, as it's referred to, as it applies to Alberta. We feel that greater understanding of the issues has been reached and that we have made progress in coming together in a direction towards an agreement.

Two of the goals that we have, which are very, very important to the province because they're very, very important to the industry within the province, are that we want to ensure that there is guaranteed access to the American market once the clauses of an agreement have been agreed to, and secondly, we want to set in place an agreement which will have some length and some certainty to it so that we are not going to be faced with challenges within a short period of time, be that six months, a year, or somewhere down the road.

I think at this point in time, Mr. Speaker, all parties remain committed to reaching a settlement and cautiously optimistic about deliberations over the next few weeks. Of course, with the Prime Minister meeting with the President of the United States today, we understand that it will certainly not be the only issue discussed, but it will be one of the issues discussed, and we look forward with interest to the results of those deliberations.

MR. VANDERBURG: Again, Mr. Speaker, to the same minister. I understand that there's a deadline and that deadline is coming up as soon as next week. What is the significance of that date? Why the deadline?

MR. JONSON: Well, the United States Department of Commerce, Mr. Speaker, has set the 21st of March as the date upon which they will make a determination or a judgment as to whether or not our current forest practices in some way — we don't agree — constitute an unfair or unreasonable subsidy or assistance to our forestry industry.

Mr. Speaker, the second point is that we intend to continue with our negotiations. We would ideally like to see an agreement before March 21, but if not, we are still committed to going forward with negotiations. The important thing here is that March 21 is the date on which the Department of Commerce will make their judgment. What can follow from that, of course, is the announcement of what they feel the level of damage, as they call it, would be or what the charge would be that might be levied against our industry as a result of their determination. We would like, as I said, to conclude negotiations before then, but we are not going to sacrifice a good agreement for a short-term solution.

MR. VANDERBURG: My last question, Mr. Speaker, is to the Minister of Sustainable Resource Development. Since our industry is so impacted by these discussions, can the minister tell us what

involvement Alberta industry has played in these recent developments?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. Of course, this industry is very important to Albertans. Over 50,000 people are employed in the industry. A lot of our constituencies, in fact, in this House would have people that are impacted by this industry. Over 50 communities in Alberta are dependent on the forestry sector as their main source of revenue and job creation. We managed to develop this industry to the level it's at by partnering with private industry, and therefore private industry is very, very important in participating in any negotiations we do with the federal government and, of course, with the U.S.

Last fall, I believe in September or October, the Alberta Forest Products Association, which represents about 80 or 90 percent of the forestry industries, set up the Softwood Lumber Trade Council, which has representatives from a number of industries and who worked with us throughout all the meetings. In fact, in yesterday's meeting with the federal trade minister the industry representatives from across Canada, including the Alberta industry representatives, participated by doing their presentations to the federal trade minister, Mr. Speaker, which I feel is very, very important.

THE SPEAKER: Well, hon. members, we've now arrived within the question period at the 16th hon. member today to have an opportunity to raise a question, and I'm just absolutely delighted to call on the hon. Member for Lac La Biche-St. Paul and to allow him to have the time that he needs. There are no additional members.

Closure of Acute Care Beds

(continued)

MR. DANYLUK: Thank you, Mr. Speaker. Some of my constituents have expressed a concern following the recent reports that Alberta Health and Wellness will be closing some rural hospital beds. My question is to the Minister of Health and Wellness. Can the minister confirm where these bed closures will be and how many there will be?

MR. MAR: Well, this is a matter of great sensitivity to all Albertans, and there has been some considerable misunderstanding with respect to it. To be very clear, I want to say, first of all, that it is much too early to talk about whether there will be any bed closures or conversions in any rural facilities in the province.

Mr. Speaker, not wanting to pre-empt the budget, which of course will be delivered next Tuesday, I can say that historically regional health authorities have received some 16 percent increase in their funding over the last three years, last year being \$3.6 billion. It will be the decision of regional health authorities how best to meet the needs of people that live in those areas. They will be responsible for making decisions about how to administer health care, and that of course includes decisions about how to allocate bed space within hospitals and other health care facilities.

THE SPEAKER: The hon. member.

MR. DANYLUK: Thank you, Mr. Speaker. My second question to the same minister: given that there are no details yet whether there will be any bed closures or conversions, can the minister tell us what criteria regional health authorities will use to make those decisions?

MR. MAR: I should say that regional health authorities will have their business plans due for the Department of Alberta Health and Wellness on the 17th of April. We have established criteria, Mr. Speaker, that each authority will use to determine bed allocation. It will depend on the particular demands of the region, and there are, of course, some considerations that would be general to all regions. For example, regions consider what is the most appropriate and efficient utilization for their patients. They'll also have to consider what is the best and most efficient use of the region's available beds. Health authorities will also consider their health workforce plans, which take into account both financial and human resources.

MR. DANYLUK: To the same minister, please, my final question: can the minister tell us whether his department is working with the regional health authorities to find other alternatives to bed conversions?

MR. MAR: We do work frequently with regional health authorities. We of course want to help regional health authorities make the best available use of all their available resources. In my view, Mr. Speaker, there are some resources that are being underutilized. There are some acute care facilities in this province where the utilization rate is recorded to be somewhere in the 20 percent range.

This ability and desire to work with regional health authorities to make the best available use of resources is one of the key recommendations set out in the report of the Premier's Advisory Council on Health and certainly encourages regional health authorities to work together to collaborate, to co-ordinate, to take advantage of working in concert with one another. As examples, Mr. Speaker, there are regional health authorities that are doing a good job in this area by contracting jointly for some services.

THE SPEAKER: Hon. members, I will call on the hon. Member for Calgary-East in just a moment. Prior to that, some hon. members may be surprised by the number I will use in this next statement, but 47 years ago the hon. Member for Bonnyville-Cold Lake entered the world.

2:30

head: **Members' Statements**

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

Nokia Brier

MR. AMERY: Thank you, Mr. Speaker. It is a real pleasure to rise today to inform the Assembly of something that may very well shock you. In Calgary at this very moment grown men are throwing stones at buttons in houses. I'm of course speaking of the Nokia Brier, which is taking place in Calgary this week. The Brier dates to 1927, when eight teams gathered at the Granite Club in Toronto to crown the first Canadian curling champ. Now 75 years later the Nokia Brier features 12 teams representing all the provinces and territories of Canada.

Of course, Canada is recognized internationally as a dominant curling power. Thirteen of the last 20 Brier champions have gone on to win the world curling championship. Curling is a sport that is steeped in Canadian tradition, and most towns big enough to support a hockey team or a golf course will most certainly have a curling league alongside. Curling is a sport that is accessible to all ages and all skill levels and can accomplish a great deal in keeping people active, excited about competition, and involved in their community. Curling adds so much to so many Albertans' lives, and I am certainly glad to see that the Nokia Brier in Calgary is such a huge success.

Mr. Speaker, I'm especially glad to see that Alberta's own Randy

Ferbey is leading the field in round robin play and will surely give the Russ Howard rink from New Brunswick a run for its money in the playdowns with their precision shooting and unmatched strategic skill.

Finally, Mr. Speaker, I would like to cheer on all the competitors and hope that the Calgary Nokia Brier concludes with all the excitement and suspense that the sport of curling is known for.

Thank you, Mr. Speaker.

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

Teachers' Labour Dispute

DR. MASSEY: Thank you, Mr. Speaker. Government actions in recent days and months has deeply affected teachers. I want to share with you the feelings of one teacher, Robin Kinasevich:

I write to you tonight in total despair! I am a teacher and I have taught for 15 years. I have found the job increasingly difficult over the years and feel that the recent treatment by this government has been the last straw for me. I am (or was) an excellent teacher. I was energetic and I put everything into my job. I did whatever I believed was best for kids, dedicating hours of my time and money for the extras that made the difference. I was passionate about the profession and held high expectations for my colleagues, students, student teachers, and myself. I was a perfectionist who put my job above all else. Somewhere and somehow, all this began to disappear.

I don't know what I am supposed to do any more. After years of being told by the government and the public that teachers are worthless, not valued members of society, lazy, not true professionals, not intelligent, overpaid, I am beginning to wonder whether there is some truth to it and whether the hours and dedication are worth it. I would guess that I am not the only teacher who feels this way. All incentive or will to be altruistic and hardworking has gone. We now have demoralized, tired teachers teaching our youth and we should be very worried. Teachers are leaving the profession in droves and I am now seriously considering it too.

If the province loses teachers like Robin, then the price we pay for a minister to claim he has won this dispute will never match the losses for our children and our schools.

Thank you, Mr. Speaker.

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

Teachers' Labour Dispute

MR. LORD: Thank you, Mr. Speaker. I rise to speak today on the labour troubles in education. I have seen the media comments, as we all have. I have talked to a number of often emotional teachers, parents, young people, various stakeholders, and of course I have been privy to discussions here in the Assembly on the subject of education costs. It has been the top priority lately, at the top of a very long list of top priorities. Hopefully our new process, which appeared, at one point at least, to have had the full support of all major stakeholders, will help to settle things down a bit. I think it's safe to say that everyone involved in this issue wishes to see things settle down a bit, to see an end to any emotional rhetoric, an end to any accusations or allegations or anger, that unfortunately is often the hallmark, indeed the blueprint of any major labour dispute.

Mr. Speaker, I'd like to commend all my colleagues here today for their admirable conduct in the face of these challenges, for their levelheaded, professional, and caring comments, invariably praising teachers both publicly and privately, obviously recognizing the vital role that educators play in our society, and urging calm as we struggled to maintain stable classrooms. It isn't easy to always have

to bite your tongue when you're being accused of doing things you didn't do. It isn't easy at all. In situations like this you always wonder if there isn't a better way, and you always wonder why the fact is that no strike ever seems to have had a happy ending. At best it seems it's always short-term gain but long-term pain and often it is just all pain, no gain. Well, you have to wonder why such things seem to happen.

I hope at this point that people will step back, take a deep breath, and reflect on the positives and on the good news. There is a lot that educators can be pleased about. For example, in the future all full-time retiring educators will have a secure pension that should be approaching as much as a million dollars in ultimate value, something that certainly no MLA elected since 1993 can look forward to. As for the taxpayers we all have to answer to, which includes teachers too, they can also breathe a little easier at this point since it appears that initial demands, which may have required tax increases of roughly \$6,000 to \$8,000 per household over the life of a typical mortgage . . .

THE SPEAKER: Thank you, hon. member, but it is two minutes.
The hon. Member for Edmonton-Riverview.

Public Health Care System

DR. TAFT: Thank you, Mr. Speaker. A common perception is that Alberta's public health care system and indeed all of Canada's traces its roots to the efforts of Tommy Douglas and his government in Saskatchewan. Further, many people feel that Alberta was among the last provinces to embrace public health care. Actually, Alberta's history of public health care, including public hospitals, goes back well before Tommy Douglas, and much of that history unfolded in rural Alberta.

From Cardston to Lamont, from central Alberta to the Peace River district people in rural Alberta developed their own public, not-for-profit hospitals and health care systems. A large portion of this province's health care system now directly reflects that heritage. Times have changed, medical care has changed, transportation systems have changed, but the importance of rural communities remains. The people of Alberta's rural communities deserve to have their health care provided in their own communities as much as possible. They pay the same taxes and premiums as everyone else, and they should not be treated like second-class citizens when it comes to health care.

Rural hospitals are the heart and soul of many rural communities in this province. They stand ready when people need serious treatment; they are a lifesaving resource in times of emergency. They provide good-quality jobs and stand as symbols to the vitality of the community past, present, and future. Alberta's health care system like Alberta's society is evolving and changes will occur, but if our rural health care system is weakened, we risk weakening the very foundations on which our public, not-for-profit health care system is built. We must ensure that changes to rural health care are not driven by the need to balance budgets but by the passion to provide rural Albertans with the health care they and all of us deserve.

head: Tabling Returns and Reports

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Yes. Mr. Speaker, I rise to table the five copies that I promised during question period.

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

MR. MASON: Yes, Mr. Speaker. With your permission today I'm tabling a package of various newspaper articles reacting to the government's passage of Bill 12, the Education Services Settlement Act. *Calgary Sun* editor Licia Corbella calls the bill "the kind of diabolical government double-speak befitting George Orwell's novel, 1984." Roy Clancy of the *Calgary Sun* writes that the government's "heavyhanded approach demonstrated little but contempt" for teachers. Rick Bell of the *Calgary Sun* calls arbitration "arbitration in name only." Paula Simons of the *Edmonton Journal* writes: "It will be next to impossible for ethical arbitrators to come up with a just settlement." The *Calgary Herald* editorial board calls the Conservative government "a government that's losing its way." Even *Edmonton Journal* reporter Lorne Gunter disagrees with the bullying of teachers and points out that inconsistent negotiations with the public sector "will breed labour unrest."

2:40

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two tablings today. The first is from a constituent, Heather Zwicker, who has given me a copy of an e-mail she sent to Premier Klein and Minister Oberg. As a professor and as a citizen she believes that "the teachers' strike registered concerns that were of vital importance to everybody in Alberta."

The second tabling I have, with the appropriate number of copies, is from Kathie Tourangeau, and she notes that "class size, working conditions and salary are all justifiable concerns of teachers. Bully tactics, such as Bill 12 is no way to address concerns or to solve education problems."

Thank you very much.

THE SPEAKER: Additional tablings?

Hon. members, I'm going to table now with the House copies of a news release that I issued earlier today announcing appointments to the Electoral Boundaries Commission. Upon the nomination by the President of Executive Council I've appointed Mr. Doug Graham, and upon the nomination by the President of Executive Council I've appointed Mr. Glen Clegg. Upon the nomination by the Leader of Her Majesty's Loyal Opposition I appointed Mr. Ernie Patterson, and upon the nomination by the Leader of Her Majesty's Loyal Opposition I appointed Ms Bauni Mackay. Earlier in the week the Lieutenant Governor in Council appointed Robert C. Clark as the chair of the commission.

head: Projected Government Business

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

DR. TAFT: Thank you. Yes, it's with great pleasure that I rise to ask: would the Government House Leader please share with the Assembly the projected government business for next week?

MR. HANCOCK: Mr. Speaker, I'd be delighted. On Monday, March 18, 2002, in the afternoon, because of the day and the wishes of the Assembly, at 1:30 p.m. we hope, after Government Motion 18 this afternoon and if it's the pleasure of the Assembly, that Prince Michael of Kent will address the Assembly. Then at 5:15 p.m. pursuant to Standing Orders and procedures of the House the throne speech would be engrossed and presented to Her Honour. At 9 p.m. under Government Motions I believe we'll have a government motion with respect to the spring and Easter break. Then under Government Bills and Orders for third reading Bill 17, Appropriation (Interim Supply) Act, 2002. Actually, that would be in

committee by then, I believe. This paper is difficult to follow.

On Tuesday, March 19, in the afternoon under Government Bills and Orders for second reading bills 14, 16, and 18. We would anticipate asking the House to recess at approximately 3:30 p.m. in preparation for the Budget Address at 4 p.m. under Government Motions. Then resuming at 8 p.m. under Government Bills and Orders the motion on the Budget Address, anticipating the response of the Leader of Her Majesty's Loyal Opposition; a third reading thereafter of Bill 17, committee for bills 3, 6, 7, 9, 13, and as per the Order Paper.

Wednesday, March 20, under Government Bills and Orders, Committee of Supply, the Legislative Assembly estimates, day 1 of 24, the Department of Seniors and as per the Order Paper. At 8 p.m. under Government Bills and Orders, Committee of Supply, day 2 of 24, the Department of Transportation and as per the Order Paper.

Thursday, March 21, in the afternoon under Government Bills and Orders, Committee of Supply, day 3 of 24, Government Services and as per the Order Paper.

THE SPEAKER: Hon. members, earlier this afternoon the hon. Government House Leader advised of a point of order. The hon. Government House Leader.

Point of Order Allegations Against a Member

MR. HANCOCK: Thank you, Mr. Speaker. I rose during a question in question period being raised by the Member for Edmonton-Ellerslie. I don't have access as yet to the Blues, so I don't have the exact wording of the preamble and the question that was placed, but the exchange related to an exchange with the hon. the Solicitor General. I'm rising under 23(h), where members cannot make "allegations against another member"; 23(j), using "abusive or insulting language"; and *House of Commons Procedure and Practice*, which, Mr. Speaker, you were so kind to provide to House leaders when it came out and admonished us to read on a Saturday morning. I would refer to page 525, chapter 13, of that book and *Beauchesne* 485 and subsequent with respect to unparliamentary language.

Mr. Speaker, the hon. Member for Edmonton-Ellerslie suggested in this House, used language to the effect that the hon. Solicitor General had misled the House or had lied to the House. That is a very unparliamentary statement to make in a question period or at any other time in the House.

Mr. Speaker, I'm reading from page 525 of the Rules of Order and Decorum in *House of Commons Procedure and Practice*, and it says:

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults [et cetera] are not in order. A direct charge or accusation against a Member may be made only by way of a substantive motion for which notice is required.

Accusing an hon. member and accusing a minister of lying to the House or misleading the House is a very, very offensive statement. It's a statement which should only be made if the member has proof positive, and then it should be made on notice to the House of intention to bring a question of privilege.

Now, I was here yesterday when the hon. Solicitor General was answering questions, I've had the benefit of reading *Hansard*, and I heard what was said in the questions and answers yesterday. I don't have the Blues, as I mentioned earlier, but I was here today for the exchange. In my humble opinion, the answers today were entirely consistent with the answers yesterday. The hon. member indicated yesterday in answer to a similar question exactly what she

indicated today in the letter which she tabled just prior to this point in the proceedings.

Mr. Speaker, unless the member opposite has proof positive of a minister in this government and a member of this House lying in this Legislature or misleading this Legislature, that accusation ought not to be made. If they do have that proof, that accusation ought to be made at the appropriate time and place and in the appropriate manner. So I would ask that the hon. member withdraw those offensive remarks.

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

MS CARLSON: Thank you, Mr. Speaker. Traditionally, when I have used the term "mislead" in this Assembly, I have been quite prepared to withdraw that particular statement. However, this time it is with regret that I am unable to do that. If we take a look at the situation that has occurred here between yesterday and today, yesterday in this Assembly in answer to a question from Edmonton-Centre that sex offenders will be excused from meeting with their officers as frequently as in the past, the Solicitor General answered specifically no to that question. Today she clearly stated that there was a pilot project in place doing exactly this.

So our position, Mr. Speaker, is that this constitutes a contempt of the Legislative Assembly as outlined in the 22nd edition of *Erskine May*, chapter 8. Specifically, I would refer members to page 111, under Misconduct of Members or Officers: Members Deliberately Misleading the House, where it states:

The Commons may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making a personal statement which contained words which he later admitted not to be true, a former Member has been guilty of a grave contempt.

It was in this context that I used the term "mislead."

Once this point of order has been dealt with, I would ask for your direction in proceeding with the charge of contempt against the Solicitor General. I believe that what we do is give a notice and request for an investigation into the facts between yesterday's statements and today's, but I look for your direction in that regard once this point has been dealt with.

2:50

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Well, thank you, Mr. Speaker. I feel that since the accusations are at me, I would like to clarify a few things.

I have the *Hansard* from yesterday, and in regard to the question from the hon. Member for Edmonton-Centre, she said:

The government wants to make prisoners pay for room and board as a way to be tough on crime, yet low-risk parolees . . .

Now, parolees, first of all, are a federal issue.

. . . will be seeing their supervisors less often, and now we hear that it's being contemplated that sex offenders will also be excused from meeting with their parole officers as frequently. My question is to the Solicitor General. Can the Solicitor General confirm that her department has plans to reduce the reporting requirements of sex offender parolees . . .

Mrs. Forsyth: Yes, Mr. Speaker. I'm pleased to answer this question, and I'm pleased to get the facts out. I met with the community corrections people. Our priority is to make sure that Albertans are safe. No, we are not letting sex offenders out early. They still will be considered a high-risk offender, number one.

Then I refer to the letter that I tabled in the Legislature, and I have said in the letter:

On a limited . . . basis in selected locations, we will be exploring the amendment of supervision standards for offenders on probation who have not been identified as high risk or high profile.

THE SPEAKER: Hon. members, the chair does have the Blues, and this is what was said by the hon. Member for Edmonton-Ellerslie:

Mr. Speaker, as the sex offenders are now considered to be low-risk and there is a pilot project in place, in fact she did mislead this House yesterday. Is the Solicitor General aware of her obligations as a minister and the penalties associated with breaking the public trust and not actually telling the truth on this floor?

The hon. Government House Leader raised a point of order, and I think a reading of the Blues clearly indicates that there is a point of order. Members should use language that is consistent with our rules of order and decorum and be respectful of the institution of parliament and all members. Any reference to misleading the House, not telling the truth, or lying is clearly offensive and has been ruled out of order on many occasions. All members are aware of the statement with respect to unparliamentary language that I circulated to all members at an earlier date and certainly referred to in *Beauchesne* 489. I do believe that there is a point of order, and I do believe that the hon. Member for Edmonton-Ellerslie should withdraw her statements.

I also want to point out the following. It's been correctly identified by the Government House Leader that in *House of Commons Procedure and Practice*, at page 525 of the book that House leaders have, "personal attacks . . . are not in order." However, if "a direct charge or accusation against a Member" is to be made, it must be made "by way of a substantive motion." The appropriate way, should the Member for Edmonton-Ellerslie or any other member choose to raise a question of substantive accusation against another member, would be by way of, again, substantive motion; in other words, a question of privilege. But that is something that may or may not occur in the future.

What we have now with us is a point of order that was raised today. Arguments have been heard. I believe that it is a point of order, and I am going to ask the hon. Member for Edmonton-Ellerslie to withdraw her statements.

MS CARLSON: Mr. Speaker, I am quite happy to follow your advice and would respectfully withdraw the comments that were offensive to the member.

THE SPEAKER: Now the hon. Member for Edmonton-Highlands on another matter.

Privilege

Appointments to Electoral Boundaries Commission

MR. MASON: Mr. Speaker, I rise on a point of privilege. We have just had distributed a news release naming the members to the Electoral Boundaries Commission, including two persons nominated by the Leader of Her Majesty's Loyal Opposition. In the Electoral Boundaries Commission Act, section 2(1)(b), it says:

2 persons, who are not members of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the Leader of Her Majesty's loyal opposition in consultation with the leaders of the other opposition parties represented in the Legislative Assembly.

To the best of my knowledge and after consulting with the leader of the third party and with staff, the third party has not been consulted, as the act requires, in the appointment of the members of the Electoral Boundaries Commission. I must state that I am not certain how to proceed on this matter, Mr. Speaker, and would like your advice.

Thank you.

THE SPEAKER: Well, hon. member, the chair is actually not in a position to provide advice to hon. members in this kind of a context

in terms of what they may choose to do or not choose to do. However, the hon. Member for Edmonton-Highlands is correct about his interpretation of the act with respect to the nominees. The act clearly states that two members of the Electoral Boundaries Commission be nominated by the President of Executive Council and appointed by the Speaker. That's happened. It also correctly points out that the Leader of the Official Opposition is to consult with the leaders of other parties in the House. Just to make sure that that in fact happens, the chair, in this case the Speaker, did notify the President of Executive Council midweek asking for the nominees and also sent a memo to the Leader of the Official Opposition asking for the nominees, and included in the letter to the Leader of the Official Opposition was notification of the need to consult with other members. So the chair is in a position of having to believe that there was a consultation.

Now, the hon. Member for Edmonton-Highlands stands in the House today and says that there wasn't any consultation. So the matter should be dealt with, then, in this way. It's now Thursday afternoon. The hon. member and his leader should avail themselves of a discussion with the hon. Leader of the Official Opposition to ascertain if a consultation did occur. If no consultation did occur and if what the hon. member is saying today in the House is correct, then I think that the hon. member on Monday should arrive here with a statement of privilege, and we'll have to determine how the Assembly and the chair would want to deal with this. In order to provide notice for a statement of privilege, my office would have to be notified at least two hours before the opening at 1:30.

I will ask the hon. member to have his leader consult with the Leader of the Official Opposition to be actually sure that no consultation occurred. If consultation occurred, well, of course, then there isn't a point. If there wasn't any consultation, then that's another matter that we'll have to look forward to.

head: **Orders of the Day**

head: **Government Motions**

His Royal Highness Prince Michael of Kent, KCVO

18. Mr. Hancock moved:

Be it resolved that in this Her Majesty the Queen of Canada's golden jubilee year, this Assembly invite His Royal Highness Prince Michael of Kent, KCVO, to the floor of this Chamber to address the Legislative Assembly on Monday, March 18, 2002, and that this address be the first order of business after the national anthem is sung. The ordinary business of the Assembly will resume upon the conclusion of His Royal Highness's address and the singing of *God Save The Queen*.

Be it further resolved that His Royal Highness's address become part of the permanent record of the Assembly.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. You raised this potential with the Government House Leader and opposition House leaders early in February, as I recall, when the opportunity for this occasion arose, and asked whether we would give consent for this unusual and historic opportunity to occur. Each House leader consulted with their caucus, I believe – at least I consulted with our caucus; I assume that they consulted with their caucuses – and responded in the affirmative, that it would be an occasion where a member of the royal family, as I understand it, the only member of the royal family operating in that capacity that we might expect to be in attendance in the capital of our province during the jubilee year, might attend on this House, and as I understand it, all parties have agreed.

3:00

I think it is a great opportunity for us to again remind ourselves and all Albertans of the 50 years of reign of Her Majesty the Queen of Canada and the benefits of a constitutional monarchy. Mr. Speaker, I would commend this resolution to the House that all members might have the opportunity to have, again, a historic occasion, one which happens very rarely. I believe the last occasion was when Rick Hansen attended before the bar of the Assembly to address the House. It's a rare occasion but one which is entirely appropriate to celebrate the Queen's jubilee.

[Government Motion 18 carried]

THE SPEAKER: Just by way of addendum now that this matter has been concluded by the House, what would happen is that His Royal Highness would be invited to attend at this House after the prayer and after the singing of *O Canada*. He would be escorted up here, and the chair would move aside and allow him to speak for approximately five to seven minutes, and then he would depart.

head: **Government Bills and Orders**
Second Reading

Bill 17
Appropriation (Interim Supply) Act, 2002

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm very pleased to move second reading of Bill 17, the Appropriation (Interim Supply) Act, 2002.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise to speak to Bill 17 this afternoon. This year the total amount of interim supply being requested is approximately \$4 billion. I would remind all hon. members of this Assembly that this is the second year in a row that this government has used this mechanism as a budgetary tool. Last year interim supply requests totaled \$7.3 billion, or roughly 36 percent of the budgeted expense for 2001-2002.

Now, this government's reliance on this mechanism is further proof that this government cannot budget properly. It's doing its best, but it just cannot seem to get it right, unfortunately, Mr. Speaker. Instead, it spends and then slashes and then spends some more. When you think that this year it's \$4 billion and last year it was \$7 billion, well, last year was an election year, and perhaps that is the reason for the \$7 billion total and the \$4 billion total this year.

Certainly, Mr. Speaker, the objective of Bill 17 is certainly to seek legislative authority for the granting of interim supply for the expenses – and this includes operating expenses, some capital investment – and nonbudgetary disbursements which take place within the general revenue fund and of course the lottery fund. Now, if we were to break down the total amount of interim supply that is being requested, it would be broken down as follows: over \$13.2 million in operating expense and capital investment for the Legislative Assembly; \$3.8 million in operating expense and capital investment for government ministries; \$42.4 million in nonbudgetary disbursements; and \$234.7 million in payments through the lottery fund.

Interim supply is required to allow the government to operate until the passage of the 2002 budget by the end of May. I can understand some of the comments that are coming from the benches opposite,

Mr. Speaker, but while we on this side, the Alberta Liberals, do not want to hold up this legislation, we have serious concerns regarding the need to resort to this type of budgeting mechanism again this year. Last year's utilization of interim supply was due to the spring election. Now, what is the excuse this year? Once again, there is a distinct lack of explanation of how this new spending will contribute to meeting the defined outcomes and the performance criteria in the government business plans, such as those to help sustain the public health care system, solve the problems in public education, maintain our infrastructure programs, and prevent further tragedies involving our young people under provincial care.

Although we recognize that funding is required in the areas of public health care, public education, municipal infrastructure, and certainly Children's Services, we have serious concerns about the lack of planning this government continues to demonstrate with its now seemingly habitual use of interim supply. The lack of budget management has already been illustrated by the amount of unbudgeted spending brought in through supplementary supply over the past two years.

If the hon. Minister of Finance doesn't have reasonable controls over the amount of unbudgeted spending, how can we trust this government when it states to all audiences, large and small, that it has no more money? Is that now, yesterday, or tomorrow that they have no more money? I would again remind all hon. members of this Assembly that this is the second-largest amount of revenue that is to be collected in the history of this province in this fiscal year, that, as the hon. Minister of Justice has stated, is ending in the next couple of weeks. Now, Mr. Speaker, this government may not have any more money today, but their use of interim and supplementary supply in place of formal budgeting suggests that they certainly get money if and when they want it to spend on who knows what purposes.

There was certainly a reluctance to spend any money to resolve the dispute between the government themselves and the teaching profession, represented by the ATA, for the last six months. I can understand that there may be some extraordinary items that the public may not be aware about that are looming on the horizon for this government. One could certainly consider drought relief as a possible purpose. We certainly know that conditions are dry. It is snowing outside this Assembly this afternoon, and I certainly hope it continues to snow, because the entire province is in need of moisture. Whether it's in rain or in the form of a snowflake, it doesn't bother this member, but we certainly need precipitation. If the government has got a nest egg somewhere for drought relief, I think they should tell the teachers. Or if they need money because of the forest fire season, which is, I understand, going to unfortunately start a month earlier than usual, then please let the citizens know.

One of the main problems with this government has been their mismanagement of the budget. They've proven over their reign that they are incapable of managing cutbacks in any sort of intelligent manner. A percentage across the board is hardly innovative or prudent. They've also proven recently that they're incapable of thoughtful reinvestment. They increase spending by \$2 billion; then they slash it again by 1 percent only months later. Instead, Mr. Speaker, this government put the province and its citizens on a roller-coaster ride of spend and slash, binge and sin, filling in the gapping holes with supplementary supply and interim supply. That is no way to run a \$20 billion budget and no way to run the economy of a province such as Alberta.

3:10

There certainly has been robust growth. I attended the EDE

luncheon today, Mr. Speaker. I think the speaker, Mr. Scott, indicated that there was \$65 billion worth of economic development or projects going to be either built or in the planning stages in northern Alberta. This is certainly a positive thing, but I think we can manage things better.

Now, as it is, Mr. Speaker, it's as if Albertans have been driven around by a student driver in a manual transmission car. Everybody gets slammed back because the car jumps off the line, then we are thrown forward as it gets slammed into reverse, and then we're thrown back again, only to have the brakes put on moments later. This government doesn't know whether it's coming or going with its budgets. It doesn't know if it's in reverse or whether it's in park or whether it's in first gear. That is why they prefer to use this budget process. It's up; it's down. I would caution this government, with its habit of relying on supplementary and interim supply, to do the real funding allocations.

Now, the worst thing of all is that this government has refused to even consider better management practices in light of the well-known volatility in natural resource revenue. Yes, hon. members, I am going to get to the fiscal stabilization fund, the Nicol fund, because it is a worthwhile policy and it should be adopted by this government. If you look after 5 cents, the dollars will take care of themselves. That's exactly what the Nicol fund is, the fiscal stabilization fund.

Now, Mr. Speaker, prudent financial management and fiscal responsibility require the establishment of mechanisms within the budgeting process that not only protect the fiscal bottom line but sustain investments in our society that contribute to a healthy fiscal and social balance. I cannot understand why this government can't figure it out and implement better budgeting practices than merely spending and slashing on the fly. It's recognized on this side of the House that we need fundamental changes to the budget management process in Alberta to create certainty, predictability, stability, and sustainability for our local authorities.

Over the years Alberta Liberals have proposed a number of elements to improve the credibility and stability of the budget planning process, sustain our core programs in health care and education, and ensure that there is a fiscal and human balance in both good times and bad. These elements include amendments to require the government to table monthly budget updates so Albertans know where they stand on a regular basis, an independent assessment of provincial revenues by an independent source such as DRI, McGraw-Hill, or the WEFA Group, for example, in comparing these forecasts with those of Alberta Treasury. These forecasts will be tabled in the Assembly and subsequent monthly budget updates as well. We should establish a ministry performance measure and benchmark for variance between budgeted and actual revenues similar to what has been done in the State of Minnesota Finance Department.

We also should require in the budget the preparation of a fiscal strategy report with 10-year trends for major fiscal and economic indicators. I know the other day I was looking, Mr. Speaker, at a budget from two years ago, and I saw a 10-year forecast in natural gas prices, but I didn't see it for other matters.

Now, the establishment of a fiscal stability fund would ensure that strategic investments undertaken in our health care and education systems are sustainable over the long term, not relying on the volatility of our economy and revenues to guide budgetary decisions or priorities, particularly on the program side of the ledger. The fiscal stability fund would introduce greater stability and certainty in the budget process in Alberta and allow us to sustain our core social programs, which are the backbones of our competitiveness as a society.

I would like at this time to remind all hon. members of this Assembly that the province of Saskatchewan has a stability fund, and in their budgeting plans they had natural gas revenues that didn't meet expectations this fiscal year. I understand that they were hoping to use only \$200 million out of their stabilization fund, and I believe they had to use close to \$400 million or better to keep their budget and keep public health care funding that is needed, public education funding, and various government programs. They used that stability fund so that they could level out the ups and downs that this government is so affected by with international commodity prices for our valuable natural resources, which, unfortunately, are diminishing. I remind all hon. members of this Assembly that the western Canadian sedimentary basin is a mature gas basin, and we're going to have to work hard to keep up with current production levels.

Now, the issue of sustainability and stability is key to effective spending and tax policy. That is why the Alberta Liberals have been calling for the establishment of a fiscal stability fund within the budget planning process in this province for years, and the Nicol plan is the way that we all should go. A fiscal stability fund would allow spending and revenue commitments to be sustained over the course of the fiscal plan, not just for three months, Mr. Speaker.

Now, we all know that there are serious concerns with the precedent this government is setting with its continued use of interim supply. [interjection] Yes, everyone knows that. Why do we not question the need for new expenditures? What we question is a Minister of Finance who doesn't have the mind-set let alone the budget management and planning systems in place to craft a meaningful budget. Making two numbers at the bottom of the balance sheet is not brilliant fiscal management.

Mr. Speaker, this interim supply gives no indication that this practice will change. I'm not convinced of this, and furthermore the need for interim supply this year is highly questionable. Now, a cynic might be tempted to think that this government delayed the budget on purpose to avoid having to demonstrate that there is, indeed, money for the public education system that could've been put towards settling the teachers' strike. This plea of poverty or this vow of poverty that suddenly the Premier has taken after an election with a massive majority of 73, which has been diminished to 72 seats . . .

MR. GRAYDON: Seventy four.

MR. MacDONALD: Pardon me; 74 seats reduced to 73. Yes, I stand corrected.

Now, even more worrisome is the possibility that the delay was caused by a government that is confused, directionless, and incapable at this time of setting priorities anymore for Albertans. It's an old, tired government. Yes. The government may try, Mr. Speaker, to blame the unfortunate events of September 11 in New York City again for their inability to prepare for the coming year. How long will this government continue to blame this tragic event for their financial or fiscal mismanagement?

3:20

Normally, special warrants for spending occur only after spring elections. This government's use of interim supply this year suggests that it is well on its way to becoming an annual tool to push through massive spending plans without formally detailing what the money will be spent on until the budget is finally brought down. Some would say that this government is lazy. Others would say that this government is confused. With world events used as an excuse, I don't think that those events in the case of this province can be

used as an excuse. We need to allocate, Mr. Speaker, proper taxpayer money. We need to allocate taxpayer money in a transparent and timely fashion, and the process that has evolved with this current government I do not believe is transparent, nor is it in a timely fashion.

Now, Mr. Speaker, in responding to interim supply, there are three major points and two technical points which emerge as part of Bill 17. The first point is that this government is using interim supply again this year for no apparent reason. Here we are requesting \$4 billion in interim supply. This could be as much as 20 percent – 20 percent – of the total that will be budgeted for the entire fiscal year 2002-2003. I'm curious: what is the rationale for using interim supply this year? Is it political expediency? The second point is that this government continues to ignore budgets, yes, instead choosing to spend and slash on the fly. This is no way to run a railway, and it's no way to run a province.

THE SPEAKER: Hon. member, I must advise that the time allocation has now left us.

The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I won't take very long, but there were a couple of things I wanted to make a point on. When I hear the opposition member, you know – and I respect that he has a right to have his opinion, but I'm a little confused on some of his points. One of them is on the idea that it's not a transparent process. I guess I would like to say that in 1993 we brought in a process where the budget was open and actually transparent, the most transparent system probably anywhere in the world. I really would defy anybody to find a place that does even quarterly reporting let alone monthly as was suggested by the hon. member.

We have everything out there for people. It's on-line. It's published. It's in libraries. It's wherever you want to get it. People have access to this information. You know, we do a quarterly update, and we admit: okay, if oil has dropped off, we have to re-evaluate our budget. In an economy like Alberta's, the most volatile economy in North America, we have 15 percent jumps and spikes in highs and lows in oil and . . .

MR. MacDONALD: That's why we need the stabilization fund.

MS HALEY: Well, you know what? I did not even argue with you about that particular fund. It may well be a good idea. Perhaps it's something that the Treasurer will consider looking at when she does the review, and I think that's awesome.

But to stand there and say after that that somehow it's not an open and transparent process just absolutely staggers my imagination. Please tell me what other Legislature anywhere in the world does that on a quarterly basis let alone on an annual basis. You know, why are we doing an interim supply? We have a fiscal year-end, March 31. Well, holy cow. Did somebody just invent that? No, actually it's been hanging out there for decades now. Why do we have an interim supply? Because the budget won't be completed by March 31.

AN HON. MEMBER: Why not?

MS HALEY: Well, why not indeed, hon. member. Let's go back. Let's think here for just a minute. What happened? No, it doesn't matter about historical events. We don't have to worry about that. You know, it doesn't matter what happened on September 11. That was then and this is now. You betcha. Something happened on September 11 that had never happened before. You know, back in

July the Provincial Treasurer indicated to Albertans that things weren't maybe going quite as well, that maybe the surplus had dropped about \$400 million by that point and that what we were projecting wasn't actually happening because oil and gas was actually still not at \$16. Even though we budgeted it way down at \$3.65, it wasn't making it anymore.

Our revenues were in fact dropping off. [interjection] No, Hugh. You had your chance; it's my turn now. We went through a process between July, August, and September where we watched what we had projected as an \$800 million surplus go away, all the way down to around \$12 million. Then September 11 occurred, and a world that was already teetering on the brink of a recession escalated the cycle. The downward cycle that some people had anticipated would take 18 to 24 months to actually complete happened within the space of weeks. This government, one of the few governments in North America, reacted to that. We went back, we readjusted our budgets, and we tried, without causing too much pain to anybody, to control the loss of revenue. Without wiping anybody out, we reduced the rates of increases. We actually went in, we hurt transportation and we hurt infrastructure, and we did that to protect health care and education.

If anybody isn't aware of what happened, yes, good news now: maybe we're starting to come out of this. The good news is that we'll probably come out of it as fast as we went into it, and maybe things will stabilize again. But this is Alberta, and we have always had problems with rising and falling revenues. We are no longer 40 or 50 percent dependent on oil and gas revenues in this province – and thank God for that – but 15 to 20 percent of our budget is still dependent on those two sources. We've managed to help with hard, tremendous work by Albertans to diversify this economy to the point where we are not totally getting wiped out when oil and gas tanks on us like it just did. But, you know, to think that somehow we're doing something wrong by bringing in an interim supply is absolutely ludicrous.

You know, Mr. Speaker, really all I wanted to say was that I think we've got an open and honest process that is transparent. Everybody in Alberta has access to this information, and the innuendo that somehow it's not is offensive to me.

Thank you.

THE SPEAKER: Standing Order 29 kicks in. The hon. Member for Edmonton-Glenarry.

MR. BONNER: No. I was going to speak, Mr. Speaker.

THE SPEAKER: Well, we first of all have to deal with Standing Order 29.

No questions then? Hon. Member for Edmonton-Gold Bar, you have a question? Proceed.

MR. MacDONALD: Yes, Mr. Speaker. To the hon. Member for Airdrie-Rocky View: has the hon. member had an opportunity to have a look at retail sales for Albertans since September 11, and has there been a significant decline in retail sales?

MS HALEY: Mr. Speaker, I don't have that kind of data in front of me, but my belief would be that retail sales have actually done very well. Albertans are fortunate, and I believe I mentioned that and that we are, of all the provinces and of all of the U.S. states, I believe in a better position than anybody else to withstand what went on. But it doesn't take anything away from the fact that oil and gas dropped, and we still rely on that huge important sector to bring stability to this province.

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

MR. MacDONALD: Thank you, Mr. Speaker. Again to the hon. member: is the hon. member satisfied with the amount of royalties that are collected by the government in relation to natural gas liquids and specifically ethane?

Thank you.

MS HALEY: This is the ethane question. We tried this one the other day, and you know what? We brought in a great new generic formula for oil royalties that I think was absolutely brilliant. [interjection] Well, you know, you ask a question. I get to answer it my way. The generic formula was brilliant, and within 20 years the people of Alberta will not be able to believe how much money they get in royalties. Natural gas? Yes, I think it's totally fair. Ethane? Talk to your National Energy Board, appointed by the federal Liberals, as to why they didn't stop any of the liquids from being kept in Alberta.

THE SPEAKER: Is that enough, hon. Member for Edmonton-Gold Bar?

MR. MacDONALD: Mr. Speaker, the bell rang; didn't it? That's fine.

THE SPEAKER: Okay. The hon. Member for Edmonton-Glenarry.

MR. BONNER: Thank you very much, Mr. Speaker. I welcome the opportunity to make some comments on Bill 17, the Appropriation (Interim Supply) Act, 2002. I would think that many of the comments that we've heard and will hear are comments that were spoken in this House before, and they were spoken at a time back in the '80s when again our oil and gas revenues plummeted because of changes in the world market and the world demand.

3:30

At that time, we didn't handle things very well, and I think that all members in the House today would certainly say that the debt that we are now continually trying to pay off was created because of a very poor budget management process here in the province. That certainly highlighted, Mr. Speaker, the fact that we do have a roller-coaster economy. It also highlighted the fact that we are tied very closely to what is happening in the rest of the world, particularly when we look at the prices of natural gas and oil.

[Mr. Tannas in the chair]

So we have had the experience and quite recently, in the last two decades, of periods in our history where we have been extremely fortunate to have high natural gas and oil prices, and that is in relation to provincial revenues. But we've also had the occasion – and I think back to the Getty days – when oil and gas prices plummeted further than we could ever, ever have expected, and these prices plummeted worldwide, Mr. Speaker. It was not something that was created here in Canada. When the facts are known, we as Canadian producers certainly do struggle or don't struggle, but we are a small part of this whole process when we think of the amount of oil that is being produced, particularly in the Persian Gulf region and other countries that we have in the past relied heavily on for their oil.

Having said all that, yes, certainly we do require some changes, and the hon. Member for Edmonton-Gold Bar did outline some of those. Some of these fundamental changes to the budget manage-

ment process here in the province are the things that we require in order to establish predictable, stable, sustainable revenues for our local authorities. It is something, Mr. Speaker, that has been asked for by our municipalities. It is something that has been asked for by our heavy road construction industry. It is something that our health authorities have asked for. It is something that our school boards have asked for. If we would have had long-term, predictable, stable, sustainable funding to these different organizations, we certainly wouldn't have just experienced the biggest strike in Alberta's history.

But what are some of these fundamental changes that could occur in the budgetary process where we would not be coming here to the Assembly roughly three weeks before the end of our fiscal year and asking for \$4 billion? Certainly the first thing is, Mr. Speaker, that when we start the spring sitting of the Legislature on February 26, I would hope and all Albertans would hope that we would not rush through a budget in those two weeks and get it passed so that we do not have to go to something like the interim supply. I would also expect that having known year to year to year that we do require a budget in place, we would not be starting to sit in this Legislature at such a late date as we have this year. We could have started this whole process much earlier in the year, perhaps even the second or third week in January, and we could have had everything we need in place.

Now, we certainly aren't overburdened, Mr. Speaker, when we look at the number of days that we sit in this Legislature as compared to other Legislatures. I know in conversations with many of our federal MPs that they would love a work schedule where they only sit for 37 days in the House of Commons. They would love that. That's both from the governing party and from the opposition parties.

What can we do here when we're looking at the interim supply, and what are some of these changes we could make? Well, certainly we have said on many occasions that we do have a proposal for the fiscal stability fund. What this requires is planning. It's also putting into practice the knowledge that we have gained with this boom and bust economy, that we cannot in periods of good times be spending all our money. When we have to start tightening the belt, the revenues are not there, and we, as a result, see what's happening in the whole process this particular year. In fact, I think the majority of departments were asked to cut back 1 percent. Now, this is even before September 11. This is at a time less than six months away from when we announced the largest single surplus in the province's history. This, Mr. Speaker, is at a time when we are experiencing probably the second greatest amount of revenue that this province has ever experienced. Yet we are asking for cutbacks that quickly. It really does indicate that our budgetary process needs some changing.

Certainly one of those changes that I think would be welcome is amendments to require the government to table monthly budget updates so that Albertans know where they stand on a regular basis. Let's take the road builders association of Alberta. These are people that have tremendous amounts of inventory. They have tremendous long-term commitments in paying for some of this machinery, which is very, very expensive, as we all know. So what that would do is it would certainly give them a little indicator that perhaps things were going to improve. It would certainly give them some indicator that our revenues were going to decrease. Something like this would certainly help them a lot more in making their plans as to where they're going. Presently, Mr. Speaker, they weren't given much of a warning. They went on the onetime spending model, on what we hope to have. As a result, the industry is going to be cut back.

I don't want to guess too much or try to anticipate what the budget

is going to provide for these people, but their best estimate today, Mr. Speaker, is that they are going to have a drop of \$700 million in provisions for new construction and for maintaining our roads here in this province. That's a huge, huge impact on that industry. As a result, what we also expect is that many jobs are going to be lost this summer. Not only that, some businesses that require stable funding, predictable funding, sustainable funding are certainly going to go out of business.

We know that this might be short-term for us as a province, but for those people that go out of business, for those people that lose jobs as a result of these cutbacks, they're going to move on and find something else. So when the whole economy turns around, when our revenues get back up to where they were, then of course we're going to be strapped for that type of experienced worker; we're going to be strapped for those types of companies that can provide the services that we as a province wish for. So definitely we do need a better process.

3:40

As well, Mr. Speaker, when we look at the interim supply estimates, we see a one-line item, for example, to support the Legislative Assembly, we have a one-line item for the office of the Auditor General, and we can continue down the list here. We look, for example, under Government. Agriculture, Food and Rural Development requires \$102 million. Now, if we took this business plan into any financial institution in this province, we would not be approved for a loan. We would not be approved for a loan.

I talked to a young man here just a couple of days ago that went into the bank, one of our larger chartered banks in the country, as a young fellow just starting out as a mechanic. He wanted to buy himself a toolbox and many tools, and the total bill was going to come to somewhere in the neighbourhood of \$2,800. So he went into the bank to borrow \$2,800 so he could purchase the tools he required to work in his field as a mechanic, and the bank told him no. He did not qualify for a line of credit. They don't give loans for under \$5,000. So this young man was turned down by the bank. He was quite shocked.

If we had to go to a financial institution ourselves, we would be turned down. Yet here we are, responsible for somewhere in the neighbourhood of \$20 billion of taxpayers' money, and we're coming to say: well, we didn't get our homework done, we didn't get the budget put in place in time, so advance us \$4 billion. Probably I am thinking ahead here about what the budget might have as a total figure, but if we look at \$20 billion again, then we are looking at 20 percent of our entire budget for next year that we are asking to be advanced because we didn't get the job done. There has to be a better way, and it's something that we can't continually do year after year after year.

I would hope, Mr. Speaker, that in this province we never have to get back to \$10 per barrel for oil. I would hope that our revenues from natural gas never dip much lower.

DR. TAFT: They're going up now. Twenty-four bucks.

MR. BONNER: Well, good, because we require these revenues. We cannot in this province, Mr. Speaker, make more cuts to essential services like health care, education, funding for our municipalities, for children's services. We cannot continue to make cuts in our human services programs because of a poor budgetary process.

So, Mr. Speaker, the reality of the situation is that all of these departments require this money to operate. Will I be voting against this bill? No. But thank you for this opportunity to make a few comments.

THE DEPUTY SPEAKER: No questions? Then the hon. Government House Leader on the debate.

MR. HANCOCK: Thank you, Mr. Speaker. I just wanted to make a few comments, because I've been sitting here listening intently to debate this afternoon and I, for the most part, didn't really believe we were talking about interim supply. Interim supply is voting supply so that government can pay its bills, so that we can pay the people who work for the public of Alberta in April and in May while we're doing the fullness of debate and the fullness of discussion in Committee of Supply on the budget. We have a calendar of 24 days, as we count them, of Committee of Supply. That's a mechanism which, quite frankly, the opposition over the years has requested, and we've been happy this year to acquiesce in amendments to the rules so that the Committee of Supply comes back into the full House, so there are no more A, B, C, and D subcommittees, so that Committee of Supply gets a proper examination of every department on a department-by-department basis through the fullness of time, over a full month almost, of this House. And it's quite appropriate that we spend that kind of time to examine department by department the spending estimates of government before we vote supply for the full year, but during that process of course the bills still have to be paid. The people who work for the people of Alberta, the civil servants, would like to feed their families and pay their mortgages. That's just a reality of life.

Now, if we don't pass interim supply, if we don't bring forward interim supply, then those bills don't get paid after March 31. That is simple fact. So, Mr. Speaker, when members are speaking to this bill and we're in second reading, this is based on the principle of the bill. The principle of the bill is that we should continue to pay the people who work for us as we move forward and while we're looking at the full supply, which is coming in, as you know, on Tuesday.

The first point I wanted to make. The Member for Edmonton-Gold Bar went on at some length about bringing in interim supply and this being a tool that the government was beginning to use more and more and how that exhibited bad planning. Well, quite frankly, Mr. Speaker, it's good planning. It's good planning to be able to pay your bills when they fall due. It's good planning to be in a place to give paycheques to people who work for you when they earn them. That is good planning, and that's planning that we should do.

Now, should we rush through a budget in order to be able to do that? Should we abrogate the normal examination of accounts? No, we should not. Should we advance a budget date artificially so that we bring in a budget before we're absolutely ready to do it and have dealt with all the issues that are extant, have dealt with all the issues about revenue and expenditure, and have looked carefully at all the needs? Should government table a budget before the budget is ready? No. That's why there's a tool available to parliaments to vote interim supply, and that's what we're talking about, interim supply.

The Member for Edmonton-Gold Bar talked about: no apparent reason. Those were the words he used. Well, the apparent reason is that we should pay our bills as they fall due as we expect everybody else to do, and we should not rush the process of looking at estimates in order to do that. We should take the full amount of time that's necessary to examine the expenditures of government because there cannot be, in my humble opinion, any more important obligation and duty of legislators than to examine the estimates of government and make sure that government is held accountable to the Legislature for its spending.

3:50

Then the question comes up that voting interim supply – I think the hon. Member for Edmonton-Glengarry said that if you went to

the bank to get a loan, you wouldn't get the money. Well, I don't know any bank that doesn't loan on guarantee. The bottom line is that we have approximately \$20 billion worth of revenue. We'll find out what the actual projections for next year are going to be – if "actual projections" isn't an oxymoron – next Tuesday. But we know with a great deal of certainty that there's going to be a minimum of \$15 billion worth of revenue even if everything goes bad, and last year there was \$21 billion or so of revenue. So to borrow \$4 billion worth of revenue against that is not really a bad loan on behalf of a bank. I can't imagine why the hon. member's bank would be turning him down or the hon. member's bank would be turning government down. The bottom line is that you're talking about a modest apportion of the spending of government to be voted in interim supply so that the bills could be paid, but we do a thorough and complete examination.

Discussion of other issues such as a stabilization fund is an interesting discussion opportunity but not relevant to voting interim supply. I'm sure that in the fullness of time in the discussion when we talk about the full budget, the budget for the year and what we should be doing, discussions of fiscal stability funds and those sorts of things might well come up.

Mr. Speaker, I only rose to try and make it extremely clear and apparent to members opposite that when we're talking about interim supply and they say that there's no apparent reason, I think they'll find that there are many, many people who work for Albertans who would like to be paid, who want to feed their families, who want to pay the mortgages on their house, who want to pay their bills when they fall due. They have that expectation, they're entitled to that expectation, and to suggest that we shouldn't be bringing interim supply to meet that because for some reason the Legislature should've been called earlier, in somebody's humble viewpoint, or because we should've rushed a budget through earlier, in somebody's humble viewpoint, is totally inappropriate. Interim supply is a time-honoured practice of parliaments and should be voted, and I'd encourage all members to vote for this bill.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry with a question.

MR. BONNER: Yes. I would like to pose to the hon. minister: does he think that 20 percent of our provincial budget, which is \$4 billion, is only modest?

MR. HANCOCK: Is only what?

MR. BONNER: The question was: why does the minister think that 20 percent of our budget for 2002-2003, which amounts to \$4 billion, is only modest?

MR. HANCOCK: Well, everything is relative, Mr. Speaker. If it were my money, \$4 billion would not be modest, but \$4 billion in the context of a \$20 billion or \$18 billion or \$16 billion budget is modest. It's modest because . . .

MR. HUTTON: Context.

MR. HANCOCK: . . . you know that in the context of what we're speaking – thank you, Edmonton-Glenora – it's a modest portion of the total amount. And when you're talking about the time periods and the fact that we're going to go through the process, one knows relatively handily that we're going to be spending more than that in this fiscal year.

THE DEPUTY SPEAKER: Okay. Second question, then, hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. If we go back to the 7th of January and we exclude Family Day and we exclude spring break, which is coming next week, that gives us a total of 43 days that we could've had a budget presented in this House. We could've debated that budget. We could've passed it. Is the minister saying that this is not adequate time?

MR. HANCOCK: Not at all, Mr. Speaker. I'm only saying that the fact that there are 31 days in any given month and 30 in another given month is not relevant to the calendar or operation of a government. What's relevant to the calendar in the operation of government is when you've got a proposed legislative schedule ready to go to the Legislature, when you've got a budget ready to go to the Legislature, when you have dealt with issues sufficiently to bring them forward to the Legislature for approval, and if you're going through processes, they take time and you should do them in the fullness of time. Over the course of the last six months there has been a considerable examination of processes, and we go to the Legislature when we're ready to go to the Legislature to do the business of the people of Alberta.

MR. KNIGHT: Mr. Speaker, there seems to be some concern with respect to the \$4 billion and the fact that we may have to borrow this money. I'd like a little clarification. Perhaps you could help me out. The hon. minister might be able to help me here. Which Canadian political jurisdiction has the highest bond rating?

MR. HANCOCK: Well, Mr. Speaker, I would be delighted to answer that. I'm sure that Alberta has the highest bond rating, but I wouldn't want to leave any illusions as to the concept that Alberta would have to borrow to pay its bills. Alberta is in the best financial position of any government in this country and, quite frankly, I think any government in North America. This province is on a stable and sound footing and doesn't have to borrow to pay its bills. The allusion to borrowing was only to deal with the hon. member opposite, who felt that a place that's in the best fiscal condition of any place in North America couldn't get money from a bank if it wanted to.

THE DEPUTY SPEAKER: We still have time for another question, if there is one. If not, we'll continue the debate. On the debate, the hon. Member for Edmonton-Riverview.

DR. TAFT: On the debate, Mr. Speaker. Thank you. Yes, like my colleagues I also rise to raise some issues and concerns about Bill 17. I was struck by the comments of the Government House Leader and amused and a bit bemused as well, but we'll get to that in a minute.

The size of this bill certainly begs comment, and I hope all Members of this Legislative Assembly will partake in the discussion here. I mean, after all, this is a \$4 billion bill. Now, in the opinion of the Government House Leader, that's just a modest sum, but to all of us and to all Albertans that's a substantial amount of money. Even in terms of what's relative or not, that is, after all, 20 percent of the provincial budget, so surely we all have an opinion on how 20 percent of the budget should be spent.

Just to put some numbers on the record here: Agriculture, Food and Rural Development, \$102 million in this bill; Children's Services, certainly an area of great concern, \$122 million; Community Development, \$125 million. Then the real whopper here:

Health and Wellness, \$1,530,000,000. That's – I'm going to speculate – close to 25 percent of what's likely to be the Department of Health and Wellness budget. Maybe the hon. Treasurer could correct me. Human Resources and Employment is \$318 million. Infrastructure is \$280 million. Learning is \$588 million, and I don't know if that includes the 6 percent, or the 4 and 2, or not. Sustainable Resource Development is \$102 million. Transportation is \$139 million. This is a significant bill with a lot of significant sums of money included in it.

I think the fundamental concern and the fundamental dispute I would have with the view of the Government House Leader is with the process here. I think ultimately we will support this bill because we do acknowledge that civil servants need to be paid, that people on PDD need their benefits, that the health care system needs to continue to operate. But what's happened under this government is that the budget process has become almost a sham. It's become so porous as to resemble Swiss cheese, and I think we might want to slice it up as if it were Swiss cheese. It used to be that the budget process was a really firm, tough process. It used to be that budgets were approved before the beginning of the fiscal year. Now, there's a novel idea. How about approving budgets before the beginning of the fiscal year?

We had earlier today the Minister of Health and Wellness indicate that he was expecting business plans from the regional health authorities, due April 17. Now, the business plans of the regional health authorities are due April 17. When does their fiscal year begin? It begins April 1. Those plans will come to his department on the 17th of April, 17 days after the fiscal year has begun. Then his department will take weeks and possibly months to go through the business plans. It may well be that the first quarter will be over before the business plans are approved. In many ways it's like letting the horse out of the barn and then closing the barn door.

4:00

No wonder we've seen situations like we saw last year in which the health care budget is changed and changed and changed again, having to be refined over and over. Why not begin the budgeting process earlier, as my hon. colleague for Edmonton-Glengarry suggested? Why not have this Legislature sit in January – and I'm sure the Treasurer will be paying careful attention to my comments here – and introduce the budget in January so that we can have a full debate and a proper vote on the budget before the fiscal year begins? This is not a way to manage the provincial fiscal situation. The budget should be a foundation for stability. Government managers, MLAs, and members of the public should know in advance how their money is going to be spent. Instead, under this government the budget has become a source of instability.

Last year, my first year as an MLA, we voted on the budget and approved the budget as an Assembly on I think it was something like May 29. Somebody can correct me. On July 7, a mere six weeks after voting on the budget, the Department of Health and Wellness came forward and indicated that there were substantial changes. I'm trying to remember the figure, but it was \$200 million in changes a mere six weeks after we'd approved the budget. Then in late August two major regional health authorities came forward with a combined total of over \$70 million in deficits. Then in October the budget was rearranged. What sort of planning is that? What sort of discipline is that?

I think we all need to be concerned about improving our budgeting process. I think that the budget should be pulled together well in advance of the beginning of the fiscal year and should be presented to us to go through, as the Government House Leader has said, department by department, day by day, and then to approve in advance of the beginning of the fiscal year.

We could go through some of the technical aspects of the budget

reporting mechanisms. However, I think the crucial point, the fundamental point, is that we will end up approving a budget that is already 20 percent spent, and we are as a result forced to vote on this bill, for which we will have no meaningful detail. Again, I'm open to correction, but I believe that we end up making ultimately a single vote in which both operating and capital expenses are combined. So we have no idea – no idea – in voting \$4 billion, whether 10 percent or 20 percent or 40 percent or whatever percent is going to capital as opposed to operating. That's a significant problem, and I'm sure the Government House Leader would agree. [interjection] Pardon me? [interjection] I will repeat one more time.

The problem with the process right now is that our debates in the Committee of Supply will be occurring into the fiscal year under consideration. I think that proper planning almost by definition means that you prepare and you do things in advance. You think through in advance what you're doing. I think we run the risk here – we're not running a risk; it is an actuality that we are budgeting as we go. That's simply not adequate. So having obtained the full attention of the Treasurer and the Government House Leader . . .

MR. BONNER: Would IBM run that way or Microsoft?

DR. TAFT: No, I would hope not.

I do want to note a couple of other concerns. Both the Auditor General and the Alberta Financial Review Commission have recommended a clear separation of operating expenses and capital investments so that we can strengthen accountability and evaluate the effectiveness of programs. Once again, unfortunately, we're seeing both of those collapsed into a single vote. I guess in the interests of ensuring openness, accountability, and transparency and imposing a rigorous fiscal discipline, that has, frankly, slipped through the fingers of this government, we will have to be putting the ministers one by one on the hot seat during Committee of Supply. Unfortunately, that will be well into the beginning of the fiscal year.

My final comment. I make this plea eye to eye with the Treasurer: next year let's bring the budget in on time so that we can actually approve it before the beginning of the fiscal year.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Questions? The hon. Government House Leader.

MR. HANCOCK: Yes. Mr. Speaker, if the hon. member were to answer any questions, I would be asking him if he actually and fundamentally believed that any of the department estimates that are set out in Bill 17 for expenditure, if he actually believed that there's any remote possibility that we would not be paying the people who work for this government for the first two months of the year, that we would not be buying the supplies, turning on the heat, and doing those things, if he thought there was any remote possibility that we wouldn't use those moneys in an appropriate way and that any of the budgeting issues that might come up could certainly be dealt with thoroughly in Committee of Supply. But I know he wouldn't answer that question anyway.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry to ask a question.

MR. BONNER: Yes. I would like to take this opportunity, as well, Mr. Speaker, to make some comments on just what was said here. All hon. members in this House realize the importance of paying the bills. We realize the importance of paying our workers. We realize

more so than the government that we have financial commitments to meet and that they have not done that in an orderly, proper fashion. Time after time we come back for interim supply, when they could move their budget process up and have it done before the end of the fiscal year.

[Motion carried; Bill 17 read a second time]

head: **Government Bills and Orders**
Third Reading

Bill 1

Queen Elizabeth II Golden Jubilee Recognition Act

THE DEPUTY SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It is indeed an honour for me to move third reading of Bill 1, Queen Elizabeth II Golden Jubilee Recognition Act.

Mr. Speaker, there has been good debate on Bill 1. It is a very good bill. What it does is establish three different scholarships and medals. The first one, of course, is the Queen's Golden Jubilee Citizenship Medal, the second one is the Queen's golden jubilee scholarship for the visual and performing arts, and the third one is the Premier's citizenship award in recognition of the Queen's golden jubilee. Considering that on Monday Prince Michael of Kent will be attending this Assembly, I do not see any more fitting recognition of the Queen than Bill 1. I believe that if we can pass this today in third reading and if we can communicate this to the prince when he comes on Monday, he will be able to take this back directly to the Queen and show her that we in Alberta are extremely proud of her, that we in Alberta want to recognize her golden jubilee, and that we have put her recognition towards the most important thing possible, which is scholarships for our students.

So, Mr. Speaker, I would urge everyone in the Assembly to support Bill 1, to vote for Bill 1, and if at all possible, with the will of the Assembly pass Bill 1 today so that we can tell Prince Michael of Kent on Monday what we have done so that he can take it back to the Queen.

Thank you.

4:10

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise and certainly would like to support this legislation. I've been convinced by the Minister of Learning that certainly this is worth while. Now, the three scholarships that have been outlined here are going to be very, very important in the future of this province. I can certainly see that well into the future families will look back with pride when one of their members is perhaps lucky enough to be the recipient of one of these scholarships.

However, in light of this bill and my support of it, I would like to caution this House that if we have a look through it, we'll recognize that there is another side to this issue, and that's the high cost of tuition in this province. Tuition fees have gone nowhere but up, and we have to recognize this. When someone receives a scholarship, certainly the money that's involved can be used to pay for tuition, but we also have to consider the road that these students travel to qualify for the granting of awards and scholarships. The majority of those students are going to be coming from the public education system, and the public education system in this province has gone through some recent turbulent times. There's no doubt about that.

In the last six months certainly there has been significant attention paid to our public education system and those who work inside it to provide the very sound foundation for all Alberta students who are enrolled in the public school system, whether it's in the separate or what we know as the public system in this city.

In conclusion, Mr. Speaker, we must not forget that the recipients of these scholarships are going to have to have a sound base for their education. In the granting of awards and scholarships under this bill, I would encourage all government members in particular to please recognize the role of the public education system and those teachers who work very, very hard in that system to ensure that people will make the grade, so to speak, so that they can be eligible for either the Queen's Golden Jubilee Citizenship Medal, the Queen's golden jubilee scholarship for the visual and performing arts, or the Premier's citizenship award in recognition of the Queen's golden jubilee. Let's use this bill as a commitment to public education in this province.

Thank you very much.

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

MR. BONNER: Thank you, Mr. Speaker. I, also, have just a few short comments on Bill 1, Queen Elizabeth II Golden Jubilee Recognition Act. I would echo the hon. Learning minister's comments of how proud we all are that Prince Michael of Kent will be taking back the information to the Queen that we have named these most honourable awards in her name. Certainly, as the hon. Member for Edmonton-Gold Bar has indicated, our students today need every break they can get, even our best students. I think it is a particularly excellent time to remember that the achievement of these students to qualify for these has been brought around and brought to that level by the exceptionally top-notch public education system that we have in this province. Without a doubt, I know that all members of this House would say that the primary reason for that is the dedication, the hard work, and the excellence and professionalism displayed by our teachers regardless of the circumstances they are put under.

So we are in favour of this particular bill, Mr. Speaker, and I know that all members of this House are going to support it. I would certainly urge any that are even questioning supporting it to support it. Just as a little example of the need for these types of scholarships: my oldest daughter, who graduated from the faculty of agriculture. [interjection] Yes, the faculty of agriculture. Quite a different line that you have to take to become a registered dietician in this province, but that's what she did. In the course of her attending university for four years to get that degree, her tuition fees doubled. So the need is definitely here. We need not only these scholarships for our students, but we have to provide much more financial assistance to them or at least stabilize the cost of their tuition in university.

So with those comments, Mr. Speaker, I will take my seat. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Mr. Speaker, I just want to go on record as thanking the Premier and those responsible for allowing this to be Bill 1. I think that this provides a further opportunity for all the students that reside in the Lacombe-Stettler constituency, and I would go further than the last couple of speakers have gone. This will go for all students regardless of whether they are part of the public system or attend independent private schools or through the home system.

I think that we are very, very lucky in Alberta. I know that an educator told me two or three weeks ago that there are more scholarships available for Alberta students than any other jurisdiction in Canada, and that not only goes from the government's perspective, but it also goes to the private sector, who very much work to ensure that the students graduating from high school are able to go on to postsecondary education, often with the help of scholarships. I can't think right off the top of my head, but I'm sure someone can help me out here. If you qualify for all three years of the Rutherford scholarships . . .

AN HON. MEMBER: It's \$1,500.

MRS. GORDON: It's \$1,500. Thank you, hon. member. What a great start for a student as they leave high school. Now we can add this, as well, to commemorate Queen Elizabeth, and I think it is only fitting that we pass this bill today so that we can pass along what has happened here and it can go back to the Queen.

So I just want to say on behalf of my students and their parents: thank you once again for helping those that are willing to work hard and compete for these scholarships. If the will is there, we have found a way, and I want to thank the corporate people, the private companies that also make sure that scholarships are available.

Thank you.

[Motion carried; Bill 1 read a third time]

4:20

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of the Whole to order.

Bill 5 **Interjurisdictional Support Orders Act**

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this act? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's with interest that I join in the debate at committee on Bill 5, the Interjurisdictional Support Orders Act, as sponsored by the hon. Member for Edmonton-Calder. Certainly if we look at the bill, as we walk through it, it appears to be based on legislation developed by various jurisdictions and, as I understand it, has been passed in the Assembly in Manitoba. Similar legislation has also been introduced in Ontario and also in the Yukon.

Now, hopefully the intent of this legislation will work, and that is to improve the way support orders may be obtained or varied where the claimant and the respondent are living in separate jurisdictions. The legislation replaces Alberta's current Reciprocal Enforcement of Maintenance Orders Act, and I think this is certainly going to be an improvement, Mr. Chairman.

The improvement in the process for obtaining and varying support orders where the claimant and, as I said earlier, the respondent live in separate or different provinces: the new legislation will also deal with how support orders made outside of Alberta can be registered and enforced in Alberta. Now, in part 1, the claims for support where no previous order exists and the claimant resides in Alberta, this applies only where there's no support order in effect for the claimant or for the children that are involved.

We need to have a look here and see what the support applications

are. We can go through them, and there are documents, including sworn evidence. Of course, this is forwarded to the respondent's jurisdiction for a court hearing, and additional evidence can be requested from Alberta. I think that is fair. The hearing decision from the reciprocating jurisdiction is communicated to the Alberta court, and the court communicates with the claimant. Perhaps the hon. member can explain to the House how quickly this will happen. I think it will be a decrease in the time – I certainly hope so – to resolve this issue. But we need to go further, Mr. Chairman, and have a look at the information that the court must consider and all evidence and the documents that should be supplied.

Now, the court must direct designated authorities to any further documents or evidence needed, and that's again fair. The court can adjourn a hearing and make an interim support order if it deems appropriate, and if additional information is not forthcoming within a time frame – it's a year and a half here – the court may dismiss the support application and terminate an interim support order.

It's important that people be notified of these proceedings, Mr. Chairman. Naturally, respondents living in Alberta, as I understand it, will be notified of court hearing, and if respondents are not residing in this province and the court knows their whereabouts, the support application is forwarded to the jurisdiction. If the respondent's whereabouts are unknown, then the application is returned to the submitting jurisdiction.

Before, as I understand it, there was no required process, and I don't know how different this is from the Ontario legislation. In the process of discussion here at committee perhaps that can be clarified for not only this member but other members of the House. I would have to ask the question: why isn't the process the same as that for the restoration and enforcement of orders made outside of Alberta at this time?

Mr. Chairman, we have to have a look at part 2 here and the definitions, the difference between extraprovincial orders and foreign orders. Now, it's fine to talk about, you know, one province to another, but if we look at foreign orders, am I correct in concluding that they are defined as support orders, interim support orders, or support variations made in only the reciprocating jurisdictions outside Canada but do not include any provisional orders?

Now, I haven't had a case in the constituency. Certainly I've had cases or files dealing with other provinces, and they can become very frustrating for all parties. But foreign orders are something that I am not familiar with, and if it could be clarified how this would work or if it does work. I understand that foreign orders are registered when received but can be subject to a 30-day waiting period in which a party can apply to have the order set aside.

Mr. Chairman, at this point in committee those are the comments that I have. Again, it appears that this will certainly improve the process for obtaining and varying support orders across jurisdictions, developed as a patchwork of legislation. Now, I would like to at this point say that I will support this legislation, again.

In conclusion, Mr. Chairman, I believe that this new legislation should make it easier for claimants to obtain an initial support order within the framework of reciprocating jurisdictions. I have questions, but I think that in due time they will be answered. Certainly the streamlining of court proceedings should result in a more efficient processing of applications and thus improve services to all Albertans.

It is extremely important that the legislation be consistent with that of other jurisdictions. As I said before, Ontario, Manitoba, and the Yukon are appropriate models.

I would at this time urge all members of this Assembly to support Bill 5. I look forward to the comments or the points in the debate from other hon. members of this Assembly, and I am at this point in

time, Mr. Chairman, going to cede the floor to another hon. member of this Assembly. Thank you very much.

4:30

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

MS BLAKEMAN: Thank you very much. I don't need a lot of time today because I know that the sponsor of the bill is going to answer some of the questions that I put forward in second reading. A lot of what I'm interested in for full-hearted support of the bill will depend on what the member's answers to the questions are.

There's just one little bit I wanted to talk about in conjunction with this before I turn it over to the Member for Edmonton-Calder to answer those questions. It's my ongoing conversation with the minister responsible for maintenance enforcement around adequate technology systems, staffing, and space to support this. We're now looking at a more streamlined process here and, one would assume, more of a computerized process once we're able to implement this. I'm looking to the minister for reassurance that we have a computer system in place that's going to be able to handle this.

I know that in the past there were a number of different competing computer systems that were being used in the maintenance enforcement program. Some of them didn't even speak to one another, and they weren't even on the same software programs. In the maintenance enforcement review done very well by the Member for Calgary-Lougheed, there were very specific recommendations that technology, the computers in other words, be updated and be enmeshed so that they worked properly together. I know that in the Public Accounts meeting earlier this week I was questioning the minister on the technology and space and staffing requirements, but of course we were discussing a past year, and I'm looking for the reassurance that in fact that technology is in place to support what would be coming through this bill.

Another part of that, of course – and they are still lingering recommendations from the MLA review of maintenance enforcement – was a full staff contingent. We had an awful lot of staff people who were out on stress leave, that were leaving, that were having to take various kinds of disability, that were out on workers' compensation claims, so they didn't have their full contingent of staff. They needed more staff assigned to the program, and there was also a problem with space. They were working in the same space they were in before, and in fact the department had increased in size many times. So that's a another question that I'll put out there to the minister, and I'm sure he can give me a few updates on where we're at in March of 2002 on those questions.

I am looking forward to the responses from the Member for Edmonton-Calder. I do very much appreciate his assistance to me today and his patience while I got my files in order. Thank you very much.

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

MR. RATHGEBER: Thank you very much, Mr. Chairman. It is indeed an honour to rise during Committee of the Whole to answer the good questions that were posed by the hon. Member for Edmonton-Centre at second reading of this bill and the couple of supplementary questions that she posed moments ago and also the questions posed by the hon. Member for Edmonton-Gold Bar.

I'm very happy that the opposition is supporting this bill in principle. I'm pleased that they agree that streamlining the mechanism for enforcing support orders from one province to another, from one jurisdiction to another, is good for claimants and it's good for respondents. So I'm happy and I'm pleased that they see the

merits of this bill and that they voted in favour of it at second reading. The hon. Member for Edmonton-Centre has raised some good technical questions in second reading, and I will endeavour to answer each and every one of those in the order in which they were posed.

From my responses, Mr. Chairman, I hope that it will be understood that the procedures under the Interjurisdictional Support Orders Act, or what I will refer to as the ISO Act, will be carried out in an efficient manner so that support applications are processed and resolved quickly when another jurisdiction is involved. Parents and children who are entitled to support will therefore be able to receive the amounts they deserve in a more timely manner. Similarly, individuals whose financial situation indicates that they should be paying a lower amount will be in a position to have their payments decreased sooner or enforcement reduced more expeditiously.

Mr. Chairman, many of the questions posed by the Member for Edmonton-Centre arose in her review of Ontario's version of the ISO Act. It is important to recognize that the ISO Act is intended to be uniform legislation across each and every Canadian jurisdiction. A Federal/Provincial/Territorial Family Law Committee spent a number of years developing and agreeing on a uniform act to be adopted by all provinces and territories. Alberta Legislative Counsel took the lead in drafting that uniform act. All provinces and territories are encouraged to make as few changes as possible to the uniform legislation so that the procedures are comparable across the country and across all jurisdictions.

If the Member for Edmonton-Centre has had an opportunity to review the ISO acts of Manitoba and Yukon, she will have encountered legislation that very closely reflects the uniform act that was agreed upon. She will also have noted that Alberta's proposed act is very similar to those of Manitoba and Yukon, as Alberta's drafters did not deviate markedly from the model act either. Ontario's act, however, contains a number of stylistic and other differences from the model ISO Act, Mr. Chairman. Many of the dissimilarities between Ontario's ISO Act and Bill 5 that were noted by the hon. Member for Edmonton-Centre are due to decisions by the Ontario drafters to deviate from the uniform act.

Let me now directly address the questions raised by the hon. member. Firstly, she posed a question regarding the designated authority that would be appointed under the act. Bill 5 allows the Minister of Justice and Attorney General of Alberta to designate one or more persons to act as the designated authority in Alberta. Mr. Chairman, the duties of the designated authority under the Reciprocal Enforcement of Maintenance Orders Act are currently being shared by the director of maintenance enforcement, the clerk of the court, and an agent of the Attorney General of Alberta. This will not change under the ISO legislation. Who the designated authority is for a particular function under the ISO Act will depend on that function. It will generally be the same person who is currently carrying out a comparable duty under the existing Reciprocal Enforcement of Maintenance Orders Act, or the REMO Act, as it is more frequently known. That act, of course, will be replaced if and when the ISO Act is adopted by this Legislature.

For example, the designated authority for the purpose of notifying a party in Alberta that a foreign order involving them has been registered in Alberta and they have 30 days to apply to set aside the registration would be the maintenance enforcement program, or MEP. At the same time that MEP sends the order to the court for registration, it would also advise the party in Alberta of that registration. In other circumstances the clerk of the court would be the designated authority for the purpose of receiving support applications or support variation applications from Albertans. An agent for the Attorney General of Alberta would be the designated

authority that would receive applications from other jurisdictions, forwarding those applications to the Alberta court nearest to the respondent.

4:40

Mr. Chairman, the Member for Edmonton-Centre had a specific question about who would notify Albertans when an individual in another jurisdiction has commenced a support application or support variation application against them by serving them with notice of a hearing date. Again Bill 5 indicates that this would be the “designated authority.” In its analogous provision the Legislature of Ontario chose to clearly state that this would be the clerk of the court. This specific provision, as the hon. member has noted, is a change from the model ISO Act. However, I can advise this House that this would also be the clerk of the court in Alberta.

Mr. Chairman, Bill 5 follows the model ISO Act by not stipulating exactly who the designated authority would be for each function under the ISO legislation. Instead, the Minister of Justice and Attorney General of Alberta would decide who the most appropriate person would be, bearing in mind how procedures are already being carried out. By not expressly indicating who each designated authority is, Bill 5 maintains the possibility of improving processes at a later date if it is determined that a different person should be carrying out a particular duty. This is to ensure that procedures are as efficient as possible when individuals are trying to obtain, vary, or enforce a support order that involves a party in another jurisdiction.

Previously, Mr. Chairman, the hon. Member for Edmonton-Centre asked how and when support applications would be forwarded to the Alberta court and how service would be effected on Albertans when they are respondents to a support application. As I have tried to explain, support applications from other jurisdictions would be forwarded to the agent for the Attorney General of Alberta, who would then forward the application to the Alberta court closest to the respondent. The Alberta court would then serve the respondent with a notice requiring him or her to appear at a hearing. Inversely, it is intended that applications commenced by Albertans would be sent to the appropriate authority in the reciprocating jurisdiction through the assistant of the agent for the Attorney General. The authority in the reciprocating jurisdiction would then serve the respondent there with a notice of a hearing. The process will essentially work the same whether the application is coming into Alberta or leaving Alberta.

Bill 5 requires applications to be forwarded “as soon as practicable” rather than “promptly” because this language is what had been agreed to in the uniform ISO Act. The time it takes to forward an application may depend on factors such as the number of other applications in the hopper and whether staff are waiting for additional information from the applicant or the applicant’s lawyer to complete the application. Accordingly, it is submitted that the words “as soon as practicable” are more appropriate than “promptly.” Bill 5 provides a reasonable expectation of the amount of time it might take to process and forward support applications. Still, the procedures under the ISO Act will be significantly streamlined, so applications may be processed and heard as quickly as possible.

Mr. Chairman, the hon. Member for Edmonton-Centre has also asked about the 18-month time frame in which claimants or applicants are required to provide any additional information requested by the Alberta court. This 18-month period was agreed upon by all of Canada’s provinces and territories at the meeting of the Federal/Provincial/Territorial Family Law Committee. Eighteen months was considered a reasonable time period for the request for information to be sent to the other jurisdiction, for the party there to

collect and provide the necessary information, and for the other jurisdiction to forward the information back to Alberta. As the hon. member has correctly noted, there is currently no deadline in the REMO Act for additional information, so provision for a deadline in the ISO Act, it is submitted, is a considerable improvement. If the requested information is not received from the applicant within 18 months, the Alberta court may dismiss his or her application. In keeping with other streamlined procedures in the Interjurisdictional Support Orders Act, this is so that applications are resolved in a timely manner and that they do not go on indefinitely.

Mr. Chairman, Bill 5 does not define “child” because the model ISO Act did not include this definition. The definition of “child” would be the same that would apply under whatever Alberta legislation the support application or support variation application is being brought; for example, if the application is brought under the Domestic Relations Act or the Parentage and Maintenance Act or the Maintenance Order Act. It is my understanding that the Ontario Legislature chose to define “child” very readily because they have only one family law statute under which support applications are brought. Our own Minister of Justice and Attorney General is currently leading the family law reform project, which is aimed at reviewing and consolidating Alberta’s family law statutes. For the time being, however, it was determined that a definition of “child” in the ISO Act was not appropriate, as it is defined elsewhere.

Mr. Chairman, Bill 5 requires certain information in a support application to be contained in a sworn document. The hon. Member for Edmonton-Centre questioned why the word “affidavit” was not used: because this is what all jurisdictions agreed to in the model act. This ensures, for example, that information sworn in a declaration or statement would be accepted. That the information is sworn and therefore reliable is more important than the type of document that the information is found in. If the formal requirements are too stringent, one risks that certain applications would be refused.

If I could just add, Mr. Chairman, that not all jurisdictions use the term “affidavit,” so the term “sworn document” is much broader and is much better known to all courts, to all lawyers, and to all jurisdictions. Terms such as “certified” and “clerk” and “regulations” were not defined because it was believed that these terms are readily understandable. When the Federal/Provincial/Territorial Family Law Committee finalized the model Interjurisdictional Support Orders Act to be used as a template for each jurisdiction’s particular version, they did not choose to define these terms. It is the Ontario Legislature that departed from the model ISO Act for its own particular reasons.

Alberta’s legislative drafters very closely followed the suggested uniform act but chose to make a few minor amendments. For instance, the Member for Edmonton-Centre noted that Bill 5 allows the Alberta court to impute income to the respondent for the purposes of determining the amount of support to be paid. Mr. Chairman, a main objective of the ISO Act is to improve the parties’ ability to obtain and vary support orders. It has been noted that some respondents currently manage to delay or thwart provisional applications by not appearing in court or by not providing financial information. Bill 5 expressly mentions the ability to impute income because some judges have been reluctant in the past to impute income when making provisional orders under the Reciprocal Enforcement of Maintenance Orders Act. Bill 5, the ISO Act, makes it clear to our judges that they may and in fact are encouraged to determine an income amount when the respondent fails to appear or refuses to disclose his or her financial information.

Mr. Chairman, the Member for Edmonton-Centre also asked why, unlike an Ontario court, an Alberta court refusing to make a support order would not be required to provide written reasons for its

decision and deliver those reasons to the appropriate authority. The model ISO Act does not require reasons to be given in writing. Neither Manitoba nor the Yukon added the requirement for reasons to be given in writing. Our own legislative drafters did not hesitate to follow the uniform act in this regard, partly because the need to provide written reasons can sometimes delay a judge's determination of a support matter. In any event, it is possible for parties to obtain a transcript of the oral reasons provided should they wish to have a copy and have something in writing.

The hon. Member for Edmonton-Centre was wondering why Bill 5 does not include a provision stipulating that the Crown is not relieved of liability in certain situations for acts performed under the Interjurisdictional Support Orders Act. Mr. Chairman, Bill 5 indicates that the designated authority and its employees will not be liable for acts carried out under the ISO Act in good faith. Bill 5's limitation of liability clause is substantially similar to those used in other Alberta statutes such as the Human Rights, Citizenship and Multiculturalism Act. As in that act, Alberta's drafters chose not to make any exception in Bill 5 to the general principle that the Crown and its employees should not be liable for tasks which are carried out in good faith. I can advise that Alberta's act for proceedings against the Crown still makes the Crown liable for particular torts. Ontario's ISO Act appears to say that even if a Crown employee would not be liable for a tort committed in good faith, the Crown could still be liable. Alberta's legislative drafters did not feel the need to make such a distinction in Bill 5, as neither the Crown nor an employee of the Crown should be liable for acts performed under the ISO if those acts are performed in good faith.

4:50

As regards information that would be included in a support application or in a court order, the hon. Member for Edmonton-Centre expressed concerns about maintaining an individual's privacy and security, particularly in relation to home addresses and financial information. I can advise, Mr. Chairman, that application forms under the ISO Act, the relevant sworn documents, and any resulting court order would all be part of the court record and therefore available to any party. As with all court matters, however, an individual who has a concern for their safety or privacy may decide not to disclose certain personal information. For instance, they may use a different address for service, such as one in care of another person, rather than their own home or mailing address.

Usually, Mr. Chairman, parties to a support application must disclose basic financial information. Clearly, the court needs to have enough information before it to make an informed and fair decision. However, this financial information normally relates more generally to the amount of a party's income and the nature of their assets rather than the name of their financial institution, how many bank accounts they have, or what cheques they have written, for example. The Member for Edmonton-Centre had a particular concern that claimants, who are usually women, could be tracked down using their financial information. As with most court proceedings an individual may decline to provide certain personal or financial information required by the ISO, explaining their decision in their application or at the time of their hearing.

The Member for Edmonton-Centre has encouraged the government to continue to work on setting up reciprocal agreements with other countries. The maintenance enforcement program regularly discusses the possibility of reciprocal agreements with representatives from other countries. For example, I am advised that agreements have recently been concluded with the republic of Poland, the Czech republic, and the republic of Slovakia. An agreement has also been reached with the United States of America at the federal level,

which includes all 50 states rather than only the current 42.

Mr. Chairman, Bill 5 allows the Lieutenant Governor in Council to declare a jurisdiction to be a reciprocating jurisdiction if she is satisfied that it has substantially similar laws respecting the reciprocal enforcement of support orders. If Bill 5 is passed by this honourable Legislature, jurisdictions with a reciprocating agreement with Alberta will be listed in a new regulation declaring all of Alberta's reciprocating jurisdictions. The fact that Alberta is increasing the number of reciprocal agreements it has with other jurisdictions and that most of Alberta's reciprocating jurisdictions have already moved to a single-hearing process are some of the very reasons why the Interjurisdictional Support Orders Act is being contemplated, introduced, and hopefully passed. As the Member for Edmonton-Centre explained on second reading on March 5, people are moving far more often between provinces, territories, and countries. It is becoming increasingly more important for individuals to have resources available to them when they wish to obtain, vary, or enforce a support order and their former partner lives in a different jurisdiction.

Mr. Chairman, the Interjurisdictional Support Orders Act would make it easier for parties to commence support applications and support variation applications because they would only need to complete a paper application rather than attend a hearing. Still, all of their sworn evidence would be considered at a court hearing in the respondent's jurisdiction along with the respondent's evidence. Both parties would still have their point of view heard, but there would only be one court hearing. This will save time, effort, resources, and money in matters of support that involve reciprocating jurisdictions. The reciprocal enforcement of support orders would also be improved under the ISO Act.

In conclusion, Mr. Chairman, I hope that I've responded to the questions posed by the hon. members for Edmonton-Centre and Edmonton-Gold Bar, and I encourage all members to support the ISO legislation in Committee of the Whole.

Thank you, Mr. Chairman.

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

MS BLAKEMAN: Thanks very much. I'd like to point out to the Assembly what a thorough job the Member for Edmonton-Calder has done, and I hope his colleagues take note of that very thorough and nicely presented job. I wish more of the bills came with that kind of information and follow-through.

I did follow along, and in fact the Member for Edmonton-Calder has answered every one of the questions that I asked in the debate on March 5. I understand and I was not expecting the member to resolve the issues around personal safety and disclosure of information. I take his explanation that an individual could decide not to disclose or could give a mailing address in care of another person. I don't think the courts would be too pleased to see this, and I think we still have an issue to resolve there. As I was saying before, it's only fair that both parties would give the financial information or the personal information, but we still have an issue there that we have not been able to successfully resolve. I wasn't expecting the member to resolve it. I think I'm just urging the government to continue to be vigilant on this and to continue to move it forward.

I am willing to give my support to Committee of the Whole for Bill 5. Thank you very much.

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Chairman. Just briefly. The hon. Member for Edmonton-Centre reminded me that I hadn't answered

her questions, and I had meant to do so. As I recall the questions, they were basically around technology support for the Interjurisdictional Support Orders Act and relating it to maintenance enforcement. I would just remind the hon. member that those are actually two different things, and of course when maintenance enforcements are actually in place, they will hopefully be registered with maintenance enforcement and then supported through the maintenance enforcement system. Of course, the technology in the system will be there to deal with those issues, as it is with respect to all the other issues in maintenance enforcement. We are continuing, as she well knows, to improve the technology support in maintenance enforcement, albeit not quite as quickly as either she or I would like.

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 4 Public Health Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Riverview.

DR. TAFT: Yes. Mr. Chairman, I rise, as I've indicated earlier, to speak in favour of this bill, and I will keep my comments relatively brief here. We have continued to do work and investigation and research on this bill. I would note that it coincides very nicely with one of the recommendations in our own health care discussion paper which reads, "The Alberta government should act quickly to ensure that all health care professionals can fully utilize their training and expertise." Certainly this bill will help. It's a step in that direction, and that's of course why we're supporting it.

We're not convinced as an opposition that the best possible use is yet being made of medical professionals in Alberta, and this of course isn't a concern that's simply limited to nurses, but it also extends to, for example, pharmacists, various kinds of therapists, and others who right now don't have the opportunity to put all of their knowledge and abilities to work. We can strengthen Alberta's health care system in various ways by allowing all health professionals to fully use their skills. We can offset the very heavy burden on MDs. We can bring a much wider range of knowledge to bear on a particular issue. We can co-ordinate services, and we can fully utilize the remarkable skills and abilities, for example, of physiotherapists or dieticians, and so on. So by expanding the role of RNs, it's definitely a step in the right direction, and we'll be looking for ways to see the same kind of thing extended for other health professions.

5:00

Now, we have consulted with the Alberta Association of Registered Nurses on this, and we are aware that they have worked closely with the government. I commend the minister for those efforts and for taking that input from the AARN into consideration in drafting this legislation.

I think it's just worth a brief moment to read into the record some of the achievements that a nurse-practitioner can bring to Alberta's health care system, so far largely in remote communities but

hopefully more and more, as a result of this legislation, into communities in every corner of this province including, for example, inner-city communities in Calgary and Edmonton. Experience in some pilot projects tells us that the nurse-practitioner is in fact able to meet the primary health care needs of unique communities, even when those needs vary quite widely. Nurse-practitioners can serve as advocates for clients and patients, and as they work in a community, they can become particularly knowledgeable about the history and the particular experience of each of their clients and, indeed, the conditions that affect the health of that community.

There has been at least one pilot project in an urban area, the Calgary Urban Project Society, and in fact I was in Calgary a week ago and met with a particular member of this project. They work very hard with inner-city residents. They have had remarkable success in improving the housing situation of these residents and have found that by improving the housing of many hard-to-house inner-city residents, their health has also improved. So we are seeing a very innovative role being filled there by nurse-practitioners.

This legislation will encourage more and more organizations to employ nurse-practitioners in all kinds of roles, and I think that's a step in the right direction. So we will be as a caucus endorsing this bill, supporting this bill.

With those comments, I'll take my seat, Mr. Chair.

[Mr. Klapstein in the chair]

THE ACTING CHAIR: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Chair. I thank all hon. members for their comments and their thoughts and support for this particular bill.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

THE ACTING CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE ACTING CHAIR: It's carried.

Bill 11 Energy Information Statutes Amendment Act, 2002

THE ACTING CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for West Yellowhead.

MR. STRANG: Thank you, Mr. Chairman. I just briefly want to go over a few items on this bill. First and foremost, I guess I'd like to talk about the aspect of the description of paramountcy at this time. With the Coal Conservation Act, Bill 11 would make confidentiality provisions contained in regulations made under the Coal Conservation Act paramount over FOIP. The coal conservation regulations currently provide for confidentiality for information related to exploration holes – those are holes drilled into the coal seams – for a specific time by the EUB on application. The period can be shortened by the EUB. The regulations also currently provide for confidentiality for information related to novel or unconventional mining methods or a facility for five years after commencement of commercial use of the methods or a facility. Duration of paramountcy is not time limited because confidentiality isn't really time limited.

Now, if we talk about the Electric Utilities Act, Bill 11 would make the confidentiality provision in section 70 of the Electric Utilities Act paramount over FOIP for information submitted to the EUB by parties to electrical rate negotiated settlements. This provision amends an amendment to the Electric Utilities Act, is very limited in scope, and has no effect on other information related to the EUA or the electrical industry in Alberta. The confidentiality provision in section 70 of the EUA for information submitted in connection with negotiated settlements will only be paramount over FOIP until 10 years after all aspects of the settlement expire. The portion of the EUA to except confidential information in respect of a negotiated settlement is not new. The 10-year time frame simply provides direction to the EUB on how long FOIP does not apply to the information. Ten years was chosen to ensure that a sufficient period of time has passed before an application for release of the confidential information can be made so that a party is not harmed or disadvantaged by the release of this information.

What is the negotiated settlement, and who might be involved? Negotiated settlements provide parties such as consumers, electrical generators, and other providers affected by an issue the opportunity to reach agreement on an issue rather than go through an EUB regulatory process to decide the issue. Information is included in a negotiated settlement that is confidential in nature. Information that the parties may provide and that may be confidential include the forecast of costs and data used to forecast costs. Examples are interest rates, inflation rates, or other indexes. An arrangement can be made with suppliers to procure goods and services.

Now, why do parties require confidentiality? Parties ask that information be kept confidential to avoid being harmed or disadvantaged in future EUB processes and/or business transactions; for example, a supplier to a utility would not want his cost arrangements disclosed as this may affect other business transactions.

5:10

When we go to the Mines and Minerals Act, Bill 11 would make the confidentiality provision in section 50 of the Mines and Minerals Act paramount over FOIP only in relation to royalty information, including royalty forecast information, geological and geophysical information, and exploration information. These sensitive portions of royalty information can be expected to relate to the costs of recovery, processing, and transportation of minerals and prices obtained for the sales of the minerals. Royalty forecast information can be expected to include proposed development plans. The confidentiality provided by section 50 of the MMA for any particular royalty information would only be paramount over FOIP five years after the information was related.

The most sensitive portion of the geological and geophysical information can be expected to relate to opinions and conclusions reached by professional and expert analysis of geophysical and geological data. The confidentiality provided by section 50 of the MMA for any particular analysis information of this type will only be paramount over FOIP 15 years after the information is provided. Exploration information also consists of raw geological and geophysical data. Under section 111 of the MMA the confidentiality ceases one year after the licensee ceases to carry on business in Alberta, so it was not necessary to put in a time limitation on the paramountcy.

So you see, Mr. Chairman, what we're looking at is bringing all these acts – the Natural Gas Marketing Act, the Oil and Gas Conservation Act, and the Oil Sands Conservation Act – under one act and putting the time limits in there.

I guess the other points I have been questioned on are regarding the information on the Oil Sands Conservation Act from the aspect

of all the megaprojects that are going on in our province right now. What they're saying is that they felt that five years wasn't long enough. But we still have the five-year window, and if they have a hearing and they can display to FOIP after the five years that they've got the right information, FOIP can still overrule that after the five years if they feel that it's going to harm the industry by disclosing that information.

With that, Mr. Chairman, I move the reading on this. Thank you.

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

MR. MacDONALD: Thank you very much. At this point in committee, Mr. Chairman, I have some remarks to make regarding Bill 11 if the chair permits. I of course was listening with interest to the hon. Member for West Yellowhead. I would like to formally express my gratitude to the hon. member and the members of his staff who were kind enough to give me and the Liberal researcher a bit of a briefing yesterday on this proposed legislation.

[Mr. Tannas in the Chair]

Now, I still have some outstanding questions regarding this legislation, and I certainly still have, Mr. Chairman, some significant concerns. I can understand the hon. member whenever he discusses the fact that we need to have a formal process to ensure that there is a system of confidentiality, whether it be trade secrets, whether it be information regarding specific costs. For instance, let's choose electricity generation. I can understand that. I can also understand that if an individual corporation in this province pays, say, \$1.2 million for a seismic survey in the Peace country, that is their money. If they spend it that way, that's fine, and that information is theirs, the results of that seismic survey. I can understand that, but when we look at what has occurred with the electricity generation distribution system in this province, I don't agree with this bill in regards to the changes to the Electric Utilities Act, and specifically it is section 70. It's going to be renumbered.

One is almost obligated to remind all members of this House, Mr. Chairman, that a negotiated settlement, as I understand it in its description in this bill, can be and is the rates charged to consumers for electricity. That could be an example of a negotiated settlement, and I don't think the process that's involved in determining the electricity rates should be exempt. It should be available, and I think it can be made available in the FOIP Act itself.

This hearing process that the hon. member discussed, as I understand it, can be secret for up to a period of 10 years. Now, in the time I have at this stage of the bill, I have certainly many issues, but that would be one of them. I think there has to be a transparency, Mr. Chairman, in all aspects of electricity distribution and generation in this province, and I'm not sure that we're going to get that transparency with this bill.

Now, I have a letter with me that I tabled earlier in the week, Mr. Chairman. It's a letter dated March 4, 2002. It's addressed to myself, and it's from the office of the Information and Privacy Commissioner. The office of the Information and Privacy Commissioner has certainly provided this hon. member with some information and some opinion in regards to Bill 11, and he writes:

There are several different kinds of information at issue in Bill 11. There may be a case for removing some of it, such as geophysical and geological information from the possibility of access than there is for removing other information, for example, royalty information. If I had to assign some sort of priority to these kinds of information, I would say that royalty information is the kind of information which most certainly should be subject to the FOIP act. After all, royalties are what Albertans receive in exchange for the

mining of non-renewable resources. Seen in that light, Albertans have a right to know what royalties are being paid, how the royalties are being collected, what royalties might be . . . forgiven and so on.

The philosophy of the FOIP Act is that accessibility and transparency bring about accountability and accountability makes for better government. It is with this in mind that I hold royalty information to be at the top of the list of priorities in terms of accessibility.

The Privacy Commissioner also states:

We have never been aware of any compelling arguments that harm would be so obvious and so constant that this kind of information should be entirely and permanently removed from the FOIP Act.

This is in regards to Bill 11.

5:20

Now, I think we have to think that with the appropriate section – and it's section 16 of the FOIP Act. If this information was made available through FOIP to the public, the information that's going to be in the Mines and Minerals Act, the Natural Gas Marketing Act, et cetera . . . In Bill 11, if this information was deemed confidential or sensitive or if it was of a proprietary nature after considerable expense through research and development by a corporation, that information, section 16 of the act – and I'm going to quote again, Mr. Chairman, from the letter that I have received from the commissioner regarding this matter:

I believe that the FOIP Act is structured in such a way as to be able to deal with the accessibility and to allow a case to be made to remove information from being accessible when certain harms could result. In this case, an oil company which felt that the disclosure of information which is subject to the act could object to the disclosure on the basis that disclosure would harm their business interests under section 16 of the act.

I tabled this document, I mentioned previously, this week in the Assembly, and this letter is from Frank Work, Acting Information and Privacy Commissioner. In discussions regarding this bill, I would encourage all hon. members to familiarize themselves with that specific letter.

Now, why we would want to make royalty information or forecasting royalty information exempt is beyond me when royalties are such an important part of provincial revenues. We have this Alberta royalty tax credit, which is forecast, I believe, to be \$124 million this year. One has to consider that. That's a significant amount of money, the \$3.7 billion or greater than that, that we're going to get in royalty revenue. We have to be able to examine that process, and Albertans have every right to know that information.

There are so many ways to consider accessibility and accountability, but we can't put the interests of the financial impact on producers in regards to this information ahead of the financial impact on the government. Whenever we talk about the government, we're also talking about all the citizens of Alberta who own those resources. Those resources and the return on those resources have to be for the maximum benefit of all Albertans.

There are many, many different royalty structures, and I was discussing this earlier. There's the natural gas royalty reduction. There's the petroleum royalty. There are royalties . . .

THE CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Gold Bar, but under Standing Order 60 the committee must report prior to the normal hour of adjournment. So we have to first of all move that we report this bill, progress thereon, and then rise, et cetera.

The hon. Government House Leader to report Bill 11.

MR. HANCOCK: Thank you, Mr. Chair. I would move that the committee rise and report bills 5 and 4 and report progress on Bill 11.

[Motion carried]

[The Deputy Speaker in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 4 and 5. The committee reports progress on Bill 11.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; at 5:27 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

