

Legislative Assembly of Alberta

Title: **Monday, March 1, 1999** 1:30 p.m.

Date: 99/03/01

[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: Reading and Receiving Petitions

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would ask that the petition I presented the other day now be read and received.

THE CLERK:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to increase support for children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

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

DR. MASSEY: Thank you, Mr. Speaker. I would ask that the petition I presented from the SOS group last week now be read and received.

THE CLERK:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to increase support of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Environmental Protection.

Bill 15 Natural Heritage Act

MR. LUND: Thank you, Mr. Speaker. I beg leave to introduce Bill 15, the Natural Heritage Act.

This bill will consolidate, modernize, and streamline Alberta's existing protected areas legislation. The bill will provide an important legislative backstop for each class of protected area while enabling locally developed management plans to set area benchmarks.

[Leave granted; Bill 15 read a first time]

head: Tabling Returns and Reports

MRS. McCLELLAN: Mr. Speaker, today I'm pleased to file congratulatory letters to the Alberta teams that participated in the 1999 Scott Tournament of Hearts this past weekend. The first letter

is to Team Canada's skip, Cathy Borst, and her team members congratulating them for making it to the final round in a very exciting game. The second letter congratulates Team Alberta for its strong performance. Both of these teams continue Alberta's tradition of excellence and sportsmanship.

I am also pleased to file letters to the Edmonton chapter of the National Black Coalition of Canada and the seven award recipients who were recognized by the coalition this weekend for their achievements and service to the people of this province.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I table with the Assembly answers to written questions 72 and 73.

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

MR. BONNER: Thank you very much, Mr. Speaker. I beg leave to table the appropriate number of copies from a member of the Disenfranchised Widows Action Group urging the Premier and the Minister of Labour to please correct the "discrimination action and return pensions and benefits to all affected widows."

Thank you.

THE SPEAKER: The hon. Minister of Family and Social Services.

DR. OBERG: Thank you very much, Mr. Speaker. Today I'm rising and tabling a letter on behalf of Premier Klein and the government of Alberta to recognize March 1 to 7 as Social Work Week in Alberta. I'm also tabling the letter I sent to every social worker in Alberta.

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

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased to table this afternoon copies of the keynote address by Dr. Tom Noseworthy at the health summit, a moving and impactful statement.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. With your permission I have three different tablings. One is a letter from Jim Heinbuch expressing his concern about the lack of funding for regional health authorities.

The second is the minutes from a town council meeting for the town of Devon dated February 22 and their concerns about the underfunding in WestView.

The final is the Auditor General's report on the examination of WestView regional health authority and the reality that they are terribly underfunded.

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased to table the required number of copies of a petition signed by 105 individuals petitioning the Legislative Assembly to provide excellence in public education as a cornerstone of our future, that students, parents, teachers, and community volunteers are becoming exhausted because of the underfunding of this sector, and urging the government to increase funding for children in public and separate schools.

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

DR. MASSEY: Thank you, Mr. Speaker. I have three tablings. The first are a series of letters from the elementary students at Hazel Cameron elementary school in Vulcan. Those students are asking for assistance in having their school renovated or changed so that the bad water, the bad air, and the dangerous fire escapes will not present a safety concern.

The second tabling, with your permission, Mr. Speaker, is five copies of an e-mail sent to the Minister of Education by Mrs. Shum in Edmonton asking in part,

How can we justify high school classrooms with 33 students comprising: 1 fully blind, 7 special needs . . . and a teacher who has no special education training and an aide for only the blind student?

The last tabling, Mr. Speaker, is five copies of a letter I received from the Minister of Education indicating that private school enrollment had risen by 4.79 percent while funding had increased by 18 percent.

THE SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MR. STELMACH: Thank you, Mr. Speaker. I wish to table five copies of the 1998 annual report for the Surface Rights Board and the Land Compensation Board and also five copies each of the Alberta Dairy Control Board's 1997-98 annual report and the annual report for production and sales for the Alberta Dairy Control Board.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to table two documents this afternoon. The first is a letter on behalf of a constituent regarding Health Summit '99. I'm proud to table this. The constituent is Phyllis La Fleur, and it is addressed to the Premier.

The second tabling, Mr. Speaker, is an extremely rare document from the Alberta Labour, 1995 March date. It is concerning pine shakes and the competency of certification.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a petition signed by 99 concerned citizens who are members of or supportive of the SOS group, which is the Save Our Schools group, urging the government

to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

Thank you, Mr. Speaker.

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

MR. WHITE: Thank you, Mr. Speaker. I rise to present a petition signed by some 51 Albertans. It is also a petition urging the government to increase funding for public and separate school boards to cover the cost of "contract settlements, curriculum changes, and technology in our aging schools."

Thank you, sir.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Edmonton-Manning, and happy birthday on your 50th anniversary.

MR. GIBBONS: Thank you, Mr. Speaker. I'd like to introduced to you and through you to Members of the Legislative Assembly 52 visitors from John Barnett school in the Edmonton-Manning constituency, 47 students; two teachers, being Mr. Barry French and Mr. Nussbaumer; and three parents, Mrs. MacIntosh, Mrs. Hartman, Mr. Ed DeWolf. They're in the members' gallery, and with your permission I would ask them to stand and receive the traditional warm welcome of the Assembly.

1:40

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to this Assembly 64 visitors comprised of 56 grade 6 students from the Gibbons school. I had an opportunity to speak to them several weeks ago, and they had some very good questions that they had asked. Accompanying them are four teachers, Tracy Lockwood, Mrs. Connolly, Mrs. Hamilton, Misaki Ohya, and parents Teresa Poirier, Deb Wasylynchuk, Wendy Fairweather, and Brenda Nordlund. They're seated in both the members' and public galleries. I'd ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm delighted this afternoon to reintroduce to you and through you to members of the Assembly two former pages, Melanie Ramsum and Joel Scheuerman. They're in the members' gallery. Joel is soon to leave on a mission to Montreal, and Melanie will remain here at the University of Alberta. Welcome back. I'd ask them to stand and receive the traditional welcome.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Member for Lethbridge-East.

Health Summit

DR. NICOL: Thank you, Mr. Speaker. The Premier's health summit is over. Mr. Premier, your summit refused to prioritize any health services as nonessential. Will you commit to coverage of services considered by the summit as part of our public health care system?

MR. KLEIN: Well, Mr. Speaker, the summit ended on Saturday afternoon. The facilitator, Mr. Johnson, indicated that it's going to take about five weeks, perhaps up to two months to compile all the recommendations. All I can say is that I will await with great anticipation the recommendations of the facilitator and the people working with him. We'll deal with them at that time.

DR. NICOL: Thank you, Mr. Speaker. Your summit refused to say how much funding is enough. Will you now develop a funding system that is based on services needed rather than your current cut, cut, cut system of funding?

MR. KLEIN: Oh, Mr. Speaker, there is no current cut, cut, cut system. I would like to remind the hon. member and all Albertans that cuts in health care ended some three and half years ago. Since then there's been a reinvestment in health care services of almost \$1 billion, as I say, Canadian dollars, little dollars, but significant nonetheless.

Mr. Speaker, this year when the budget comes down on March 11,

there will be a substantial additional reinvestment in health care services. To answer the question we have committed and we have committed very strongly in no uncertain terms that those additional funds will go to frontline services.

DR. NICOL: Mr. Speaker, funding is cut when you deal with it in real terms.

Mr. Premier, your summit brought forth a number of recommendations. Will you develop a health action plan now that incorporates these recommendations and indicate to Albertans which are going to be accepted and a time frame for their incorporation?

MR. KLEIN: I can't commit to any recommendations because I haven't seen any recommendations yet. I haven't seen concrete recommendations coming out of the health care summit. Yes, I heard some comments as to what should be done, what shouldn't be done. But let's wait and give the facilitator an opportunity to bring all the recommendations together, and then we will deal with them.

Mr. Speaker, I made a commitment at the conclusion of the health summit that this government will give very careful and sincere consideration to all the recommendations.

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

MS LEIBOVICI: Thank you, Mr. Speaker. Empty words, indeed, from the Premier.

Regional Health Authorities

MS LEIBOVICI: Regional health authorities across the province have indicated that they are underfunded and fed up, and in fact the WestView regional health authority plans to hand over the keys to their facilities to the Minister of Health if proper funding is not forthcoming. They've indicated that this chronic underfunding by this government has prevented them from providing necessary health care services to the people in WestView. My questions are to the Minister of Health. Mr. Minister, on Wednesday, when the WestView regional health authority meets with you, are you prepared to fund them adequately, or will you be firing them?

MR. JONSON: Mr. Speaker, I would certainly acknowledge that going back in history about three or four years, when the current funding formula started to be implemented, a decision was made to ensure that all regional health authorities received a uniform percentage increase, and therefore the underfunding for some of the regional health authorities according to the formula was not addressed. But in this current year WestView regional health authority is on formula. They will be getting a substantial increase in the coming year. They are being funded according to the formula now and will be in the future.

MS LEIBOVICI: The WestView regional authority is almost \$6 million dollars in debt.

How many other regional health authorities are lined up for meetings with the minister to receive their marching orders?

MR. JONSON: None, Mr. Speaker.

MS LEIBOVICI: Well, then, how many more boards are going to throw up their hands and walk away or be fired before the minister changes the provincial funding formula?

MR. JONSON: Well, Mr. Speaker, the province of Alberta I think has an overall funding formula which recognizes various compo-

nents which are important to planning for health services, such as the age of the population, sparsity and distance in rural areas, the whole issue of the fact that certain provincewide services needed to have extra recognition and funding, particularly as they are offered in Edmonton and Calgary, and I think that in terms of having a funding formula which addresses the overall population needs of a regional authority's population, we are doing as well as any province in this country in that regard.

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

Private Schools

DR. MASSEY: Thank you, Mr. Speaker. My questions this afternoon are to the Minister of Education. In March the government announced that a 20 percent increase in public funding for private schools would be phased in beginning September 1999. By the minister's own estimate public money going into private schools increased by 18 percent last year although the estimated enrollment growth was only 4 percent. To the minister: why was there an 18 percent increase in public money going to private schools when they only had a 4 percent increase in enrollment?

MR. MAR: Mr. Speaker, it is correct what the hon. member said at the outset with respect to private school funding going up over a period of time, and that of course is as a result of the public consultation that took place regarding private education. It is correct also to say that there has been an enrollment increase in the number of students that are going into the private school system in the province of Alberta, but it is not disproportionate to the overall growth of the numbers of students in the province.

Mr. Speaker, with respect to the specific figures referred to by the hon. member, I'll be happy to undertake to look into the numbers that he's referring to.

1:50

DR. MASSEY: Thank you, Mr. Speaker. To the minister: in the end, just how much more money will be going into private schools, given that they've already received an 18 percent increase and the government is promising another 20 percent?

MR. MAR: Mr. Speaker, our commitment to private schools remains the same as has been announced with respect to the recommendations made by the private school task force, and it is our intention to continue with that commitment, recognizing that the 26 recommendations contained in the report – it was a balanced report, and there were a number of different recommendations, but all 26 have been taken in. With respect to the particular issue of funding, we will maintain our commitment as established in that report.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: why does the government tell public schools to get by with 1 percent in annual increases when public money going to private schools is being increased by amounts like 18 and 20 percent?

MR. MAR: Mr. Speaker, I'm surprised that the hon. member would ask this question, because he already knows the answer. This is a question that has been asked and answered in this House before. The hon. member knows that the issue of private school funding was the subject matter of a public consultation. That consultation contained 26 recommendations. There were recommendations with respect to accountability of private schools. There's a recognition that there is a role for private schools. There is an acknowledgment

by this government that there is a choice that should be made available to supporters of private schools.

Mr. Speaker, the hon. member also knows that private schools do not receive funding for administration. They do not receive funding for transportation. They do not receive funding for capital. There is a significant difference in the level of support for private schools and public schools. It is a balancing act. He knows that this matter has been dealt with and that the government will maintain its commitment pursuant to accepting the recommendations set out in that task force report.

Prescription Drugs

MS BARRETT: Mr. Speaker, this weekend delegates to the health summit said an overwhelming yes to our public medicare system and a categorical no to private, for-profit hospitals. Despite the government's innuendo and suggestions of the last few years that health care costs are out of control, delegates learned that the only health care costs that are out of control are those like prescription drugs, which aren't under medicare. As a matter of fact, we now pay as much for drugs in Canada as we do for doctors. My first question is to the Premier. In keeping with the recommendations of the health summit, one of which I've just outlined, will the Premier move to introduce a pharmacare plan and thereby better control prescription drug costs first of all and, secondly, ensure no Albertans face financial hardship due to their inability to pay those costs?

MR. KLEIN: Well, Mr. Speaker, there are already programs to accommodate the cost of pharmaceuticals. Certainly most people – those are employees – are covered through various schemes, mostly under Blue Cross. Seniors are subsidized. We have a new program for children coming from needy families to subsidize the cost of those drugs.

Mr. Speaker, the national pharmacare program, as was once proposed by the Prime Minister, has for the time being at least been abandoned in favour of directing funds, badly needed dollars, to frontline services within the health care system.

MS BARRETT: Well, Mr. Speaker, contrary to the claims of Paul Boothe, who addressed the summit, that health care costs are under control with the exception of prescription drugs costs, will the Premier explain why the government refuses to bring in single-payer, public coverage of prescription drugs? It makes it cheaper all around for everybody.

MR. KLEIN: Mr. Speaker, that's an opinion, and I'm sure there are some people who don't agree with that opinion. Indeed, that was the national debate with the Prime Minister as to whether that in fact would happen, and as a result the federal government, for instance, has abandoned for the time being, as I pointed out, an idea for a national pharmacare program in favour of the provinces being able to address the priority areas. The priority areas as we see them are waiting lists, long-term care, emergency room services, and a host of other so-called frontline services, including the addition of more nursing staff and nursing aides and so on.

MS BARRETT: Well, the observations of the Prime Minister notwithstanding, will the Premier explain why this government that likes to be number one in everything refuses to lead Canada into a pharmacare program? Why can't Alberta be number one in health care for a change?

MR. KLEIN: Mr. Speaker, I know that in this province we do have

adequate programs to address the needs of those who need to be insured relative to pharmaceuticals. I'll have the hon. minister supplement my answer.

MR. JONSON: Mr. Speaker, I think one of the very important things to be considered here is that we do in the country of Canada right now have one province which has a type of pharmacare program, and that is Quebec, and also probably more comprehensive coverage in British Columbia than – we take a different approach to it, but we provide significant coverage as well. The important thing is that there is to my knowledge no evidence that either of those systems provides for a cheaper health care system or less use of drugs or a lowering of the cost of drugs.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Glenora.

Health Transfer Payments

MRS. BURGNER: Thank you, Mr. Speaker. Several weeks ago all Albertans and indeed all Canadians were pleased that the federal government had announced that they would be returning in their budget announcements to the provinces significant parts of the health and social transfer payments that had previously been cut. In fact, the federal government claimed they were providing an additional \$11.5 billion to the provinces for health spending in the next five years. Now there have been reports that this increased spending may be somewhat exaggerated. In fact, during the health summit when some figures were put in front of us, it was quite a shock to the delegates. To the Minister of Health: could the minister explain to this Assembly how much the federal government has actually increased health transfers to this province?

MR. JONSON: Well, first of all, Mr. Speaker, I do wish to indicate that additional funding from the federal government was certainly welcomed and was due I think in large part to the work of the Premiers across this country, particularly Premier Klein here in the province of Alberta.

Mr. Speaker, I think it is important to recognize that what the announcement of \$11.5 billion to health means is that in year 1 we will receive as provinces an additional \$2 billion; in year 2 we will receive the same amount of money, \$2 billion; in year 3 it will go up to \$2.5 billion, \$2.5 billion, and \$2.5 billion, to make for five years of funding. You add it together, and you've got \$11.5 billion.

The important thing, though, is that I think the impression that may have been left was that over five years when you got to year 5, federal contributions to health care funding in the province would be a total of \$11.5 billion, and that is not the case. There is very little escalation in that announcement of funding for costs and pressures on the provincial health care systems over the five-year period, but it is still more than we had before.

MRS. BURGNER: Again to the same minister: how much of this increased federal funding will actually find its way to Alberta?

2:00

MR. JONSON: Mr. Speaker, with respect to the funding that is coming in, as a province we're going to be applying that money to frontline services, to delivery of health care to the people of the province of Alberta. What this overall amount of money represents in terms of our provincial budget is about a 4 percent increase, about \$192 million. As was indicated earlier, that \$192 million will be matched from provincial resources so that in the coming year there will be a very significant ability to reinvest in health care.

MRS. BURGNER: My final supplementary: how will Alberta spend this additional money for health?

MS BARRETT: He just answered that.

MR. JONSON: Well, perhaps I did refer to it in my answer, Mr. Speaker, but I think these points are important, so I will reinforce them.

The areas of priority, Mr. Speaker, which were incidentally reinforced as being on the right track at the recent health summit, were the areas of frontline services, support for increases in staffing in key areas; secondly, the whole area of reducing waiting lists in possibly life-threatening areas; thirdly, the continuum of care is a top priority, both long-term care and home care. Those would be some of the leading ones for this money.

THE SPEAKER: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Olds-Didsbury-Three Hills.

West Edmonton Mall Refinancing

MR. SAPERS: Thanks, Mr. Speaker. On September 15, 1998, the Premier made a commitment to answer all questions Albertans had on the government's involvement in West Edmonton Mall refinancing once the Auditor General's report was final. Now, on October 27, 1998, again a spokesman from the Premier's office said that it was the intention of the government to release all supporting documents. That hasn't happened. My questions today are for the Premier. How can Albertans be sure that all files on the mall refinancing have been found when ministerial records were considered property of the ministers back in 1994 and the Auditor General has no power to subpoena documents or search houses?

MR. KLEIN: Mr. Speaker, we have gone to great lengths to provide the Auditor General with everything that he wants, and I can tell you that everything in my office that he required was given to him. I can't speak for what might have happened between ministers or their personal correspondence – what? – five, six, seven years ago?

MR. SAPERS: Mr. Speaker, the questions were about publicly releasing the documents that were turned over, not about what he may or may not have given to the Auditor General.

Why hasn't the Premier done what he has said he was going to do, and that is release all the documents, including his 16-page statutory declaration in its entirety?

MR. KLEIN: That is entirely up to the Auditor General. Mr. Speaker, I have a letter from the Auditor General which I would gladly table. I have no problems, but other people might have problems. I am not the only one who provided evidence. Mind you, I'm proud to say that I did provide evidence. I don't know if the hon. member over there provided any evidence or not, but I did. I answered to the best of my ability and as truthfully as possible all the questions put to me by the Auditor General.

The Auditor General has advised me that to release my statutory declaration and to release my documents in isolation would really skew and would put me at an unfair advantage, or it might put the others at some disadvantage, understanding that much of this documentation might be used again in subsequent court proceedings.

MR. SAPERS: Everything I send to the Auditor General I release to the public, Mr. Speaker.

Will the Premier confirm that given the restrictions in the Auditor

General Act, it is up to the government and not the Auditor General to release documentation, working papers on West Edmonton Mall refinancing? It's up to the government.

MR. KLEIN: Well, Mr. Speaker, all I can say is that everything the Auditor General asked of me – and I'm sure other people involved in the Auditor General's investigation of this matter turned over all documents and all relevant information. I would like to point out again that as a result of all the information that was turned over – and this is the bottom line. This is the part the Liberals really find difficult to accept. They find it very difficult to accept the very simple factual recommendation of the Auditor General that there was no evidence whatsoever that any elected officials did anything inappropriate or that there was any wrongdoing or any inappropriate activity relative to this issue on the part of elected officials.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed the hon. Member for Calgary-Buffalo.

Eye Care

MR. MARZ: Thank you, Mr. Speaker. Good vision is one of the most important components of a good quality of life, and therefore eye care must be an accessible service under our health care system. Recently several of my constituents have raised concerns about their ability to get timely eye surgery in the Calgary region because they've been apparently told that there's a quota system in the region and the quota for the year has been filled. My question to the Minister of Health is: is it true that eye clinics in the Calgary regional health authority have quotas and that once these quotas are filled, patients can no longer access service?

MR. JONSON: Mr. Speaker, regional health authorities across the province provide access to eye treatment and eye surgery with certain varying models. In the case of Calgary the regional health authority projects each year the number of, say, cataract surgeries that will be required, and the way they have chosen to allocate that particular surgical work is to allot a certain number to, I think, four or five different eye clinics in Calgary.

Now, as of my checking on this situation last week, it was my understanding that there is still some capacity in this year at all of the eye clinics to provide those operations. However, I do recognize that it may not be possible for a variety of reasons, one being perhaps the quota system, for an individual to receive the operation from the physician of their choice, but certainly there is capacity for a person needing cataract surgery to be able to receive that particular treatment.

MR. MARZ: Mr. Speaker, my second question is again to the Minister of Health. Once the clinic has completed all the procedures that it's contracted to do with the health authority, can a patient choose to pay directly to the clinic to have that procedure done immediately?

MR. JONSON: No, Mr. Speaker. If they are an insured person vis-a-vis the Canada Health Act, under our particular health care system that option is not there. But I would just like to reinforce that at this point in time in the province of Alberta there is capacity and there is availability of cataract surgery should an Albertan need that particular treatment.

MR. MARZ: My last question, again to the same minister, is: if Albertans cannot pay directly for the services, why are residents

from other provinces able to come to Alberta to do so, getting faster service than Albertans do?

MR. JONSON: Well, Mr. Speaker, one of the curious things about the application of the Canada Health Act is that you are only an insured person in your resident province. So it is possible, although not very common, that a person might go to another province for a particular treatment. What, however, is much more common in our overall Canadian health care system is that we do provide, for instance, in a province such as Alberta a number of surgical procedures, certain types of heart surgery to other provinces on a needs basis because they don't have that particular specialty. So overall that is the situation in the country.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for West Yellowhead.

2:10 Domestic Relations Act

MR. DICKSON: Thank you, Mr. Speaker. When the Premier touted the so-called United Alternative last month he said: we cannot, as those who adhere to a Conservative philosophy, declare ourselves to be the party of minimum interference in the everyday lives of everyday Canadians and then propose to interfere in the most personal of all decisions. Further: these questions are best left to the internal moral compasses found within every Canadian. My question this afternoon is to the Premier. Why will he not follow his own advice and allow adults in this province who choose to live together to decide by contract what will happen when they separate?

MR. KLEIN: Mr. Speaker, that is all part of the moral compass. You know, I would imagine that there are numerous moral compasses pointing in different directions. The hon. Member for Calgary-Buffalo has his moral compass; it points in a certain direction. There are other people where the compass points in another direction. It is this member who wants to get into the lives of Albertans. It is this person.

MR. DICKSON: This member simply wants fair and equal treatment, Mr. Speaker.

My follow-up question is: why would this Premier sooner see a partner who's economically disadvantaged after a separation seek relief from one of the government departments and government programs when that person really ought to be looking to the former partner for support?

MR. KLEIN: Well, I guess they can do that today, Mr. Speaker. The legislation as it relates to the Domestic Relations Act – and there'll be plenty of time to debate that – refers to the court ruling that was handed down. Quite specifically that court ruling referred to heterosexual common-law relationships, nothing else.

MR. DICKSON: Mr. Speaker, my final question to the Premier would be this: will the Premier undertake to change the Domestic Relations Act in this province so that adults, whether that's two sisters or a mother and a son, can agree by contract what the rules will be on separation? Your Domestic Relations Act doesn't permit that now?

MR. KLEIN: Well, Mr. Speaker, I am not a lawyer, and I would hate to provide a legal answer to a legal question. I don't know what can be done contractually or not. I understand that on the basis of fundamental common law virtually anything can be done by contract

if it doesn't violate the Criminal Code. So virtually anything can be done. Is that not right, Mr. Lawyer? Well, okay; I stand to be corrected. I'm not a lawyer. Maybe he can answer his own question.

MR. HAVELOCK: Mr. Speaker, the Premier is right. A couple or any pair of individuals can enter into an agreement with respect to virtually any matter. If they wish to have that agreement enforced, there are civil proceedings available through the courts to do so.

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

Coal Marketing and Transportation

MR. STRANG: Thank you, Mr. Speaker. My questions today are to the hon. Minister of Transportation and Utilities. Constituents have been contacting me with regards to the latest contract price of coal at Luscar Ltd. in the Gregg River mine near Hinton for the Japanese market, which has dropped approximately 60 percent. If Gregg River can still be profitable, it will have to be done by cutting costs, including transportation. Luscar has indicated that they will have to have the railroad share in their commodity price reduction. Can the minister advise us of the significant transportation cost in moving our coal to markets?

MR. PASZKOWSKI: This is a very timely question, Mr. Speaker. Indeed the coal industry is going through a major challenge as far as the global market is concerned. Transportation costs are very significant as far as moving bulk commodity products is concerned. In coal's case roughly 50 percent of the final cost of the product is directly related to transportation costs.

A year ago our department did a study as far as cost of transportation relative to the particular products that Alberta produces and markets. At that time the cost of transportation was identified at anywhere from 16 to 50 percent of the final cost. The more the bulk commodity, the higher the cost. Coal was at that time measured to be the highest cost commodity to move as far as transportation was concerned, and it was the one at 50 percent. Indeed Luscar and all of the stakeholders are going to have to spend some time trying to find ways of being able to market that product at a globally competitive price. Transportation is a significant part of it, and certainly the transportation of that product is going to have to be worked on.

MR. STRANG: Thank you, Mr. Speaker. My first supplementary question: would the Minister of Transportation and Utilities be willing to support Luscar's approach to adjust railroad freight rates to reduce the transportation cost of coal?

MR. PASZKOWSKI: It's not just a process where we will be supporting the transportation of coal. It's a process that we have to look at in transportation of all products in this province. Unfortunately, coal is caught in a dilemma at the present time. The squeeze is on. The Asian market has decreased significantly, and that was the major consumer of Luscar's coal products. Obviously we do have some work ahead of us. Obviously it's a process that's going to involve all of the stakeholders in this province to come together and find more effective, more efficient ways of transporting that product.

MR. STRANG: Thank you, Mr. Speaker. My last supplemental question is: will the government do something to ensure the efficiency of transportation and trade corridors to the west coast ports that Alberta shippers are so heavily dependent on?

MR. PASZKOWSKI: Two years ago we met with the Deputy Premier of British Columbia to study the whole issue of transportation to the west coast through our west coast ports and corridors discussions. Since that time it was deemed that really this is a western Canadian problem and a western Canadian need. So ultimately we now have all of the stakeholders that are involved in transporting products that are produced in western Canada. We have the four western provinces, Yukon, and Northwest Territories as part of this stakeholder process to try and find a more cost-effective way of moving all of the products that are produced in western Canada.

The ports have a key role in this. The terminals have a key role to play in this process. The railroads have a key role to play in this process. The governments have a key role to play in this process through taxation. All of the stakeholders really have to come together to find solutions. We do have to find a more cost-effective and more efficient way of moving particularly bulk commodities such as coal in order to survive global competitiveness.

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

Pine Shake Roofing

MR. MacDONALD: Thank you, Mr. Speaker. The Minister of Labour has stated, "We have tabled all the information on the issue of pine shakes that has gone through the department." However, last week when questioned why no documents from 1995 were tabled, he could only respond by saying that he was not minister of the day. Today I tabled a document from 1995 from the Department of Labour, released by the Department of Economic Development. This deals with pine shakes, and it's a document that the minister said didn't exist. My question is to the Minister of Labour: is the minister simply not aware of what's going on in his department regarding pine shakes?

MR. SMITH: Mr. Speaker, last week the member said, "The Department of Labour has released 1,969 documents on the pine shake issue so far . . . Why are there no documents for 1995?" First, there were over 3,000 documents released, not 1,969.

I did a terrible thing, Mr. Speaker. I actually took the member's word for his accuracy. Therefore, he's perfectly entitled to table the 1995 document because it reflects there was one, contrary to his comments in last week's *Hansard*.

MR. MacDONALD: Thank you, Mr. Speaker. Will the minister reconsider his statement that all pine shake documents have been tabled?

2:20

MR. SMITH: Mr. Speaker, there are over 3,000 documents in the public domain. We continue to do the due diligence accorded to this ministry. Again, to the best of my knowledge we're working very hard with industry and consumers to ensure that there's knowledge of the issue out there: how it started, what the department has done, what consumers can expect from manufacturers, where they can go for the builders, and what the real issue is out there, not just the political cat-and-mouse game that the member chooses to play.

MR. MacDONALD: Mr. Speaker, the political cat-and-mouse game is that only 2,000 or less of those documents came from his department. The others came from other government departments.

Given that 1995 documents do exist and the minister has promised to release all documents, will he now instruct his department officials to release all – and I repeat, all – documents on pine shakes? Quit the cover-up.

MR. SMITH: Actually, Mr. Speaker, I'd like you to rule on the term cover-up.

Speaker's Ruling Parliamentary Language

THE SPEAKER: Well, hon. member, we know that "cover-up" is an inappropriate word for usage in the Legislative Assembly in the province of Alberta. Do you want to consider what you said?

MR. MacDONALD: I agree, Mr. Speaker, and I withdraw the word cover-up.

THE SPEAKER: The hon. Member for Dunvegan, followed by the hon. Member for Edmonton-Norwood.

Special-needs Education

MR. CLEGG: Well, thank you, Mr. Speaker. Some parents in my constituency have expressed concerns that there are students who were denied funding for severe disability. My question is to the Minister of Education. What funding is provided to help students with severe special needs?

MR. MAR: Well, Mr. Speaker, when speaking about the issue of severe special needs, I think we have to start with the fact that all boards receive the same basic instructional grant of \$3,860 for every student enrolled in their jurisdiction. On top of that, school boards receive funding for students with severe disabilities who meet the eligibility requirements, \$11,600 for students with severe physical and mental disabilities. Combined with the basic instructional grant, that is an aggregate of \$15,460 per eligible student.

With respect to students with severe emotional behavioural disabilities, Mr. Speaker, it's an additional \$8,910 for an aggregate amount when added to the basic instructional grant which totals \$12,770. With respect to program unit funding, up to \$19,000 in program unit funding for each ECS child with a severe disability, and those are in the age categories from ages two and a half until six.

Of course, some students may need less extensive education programming while others need more. School boards are expected to pool their money in order to provide the appropriate educational programs for any given individual student.

Mr. Speaker, my last point is that boards are required to report on how they're spending their funding in order to meet the needs of those special-needs students.

MR. CLEGG: Thank you, Mr. Minister.

To the same minister. There are cases of children who have been approved for this severe disability funding in the past and now are denied those funds. Parents are concerned that you have changed the eligibility requirements. Can you explain, Mr. Minister, how the department monitors these children?

MR. MAR: Mr. Speaker, this is an issue that comes up from time to time with my office. I want to say at the outset, the very first thing, that the criteria for severe disabilities have not changed. School boards are aware of the eligibility criteria and the monitoring procedures. There may be a number of reasons why funding claims for severe disabilities may not be approved. There are differences in the criteria between program unit funding for ECS children and severe disability funding in grade 1. Each of the school jurisdictions is aware of the differences. Accordingly, the boards know that they need to ensure that transition planning is put in place to meet the needs of those particular students.

Also, Mr. Speaker, students may have a mild or moderate disability, and the funding for students in those categories is already included in the basic instructional grant for students with mild and moderate disabilities. But, of course, this is an issue that comes up from time to time. As I indicated, boards may appeal any severe disabilities funding decisions to the director of special education.

The whole process starts, of course, Mr. Speaker, by school boards identifying, accessing, and developing programs for students that they feel are eligible for severe disability funding. Then the department's responsibility is to monitor and review the student documentation, the discussions with school and jurisdiction staff, and some on-site visits. So, again, this is a very comprehensive review of the needs of individual students, and we're happy that school boards do what they do in order to meet the needs of their severe disabilities students.

MR. CLEGG: My supplementary to the same minister. This school year the government increased funding for most special needs by 30 percent. However, I understand that there is a cap for funding for some severe special needs. To the same minister: how can boards provide programs for students with special needs when there are limits on funding?

MR. MAR: Well, Mr. Speaker, we did not decrease the level of per student funding. However, we are providing funding for students with severe emotional and behavioural disabilities based on school boards' 1997-98 incidence levels for a period of three years. Of course, we'll be prepared to monitor that incidence rate over time. But approving students with severe emotional and behavioural disabilities at the 1997-98 incidence rates means that boards will be able to do long-term planning with confidence, knowing the money will be there. The boards will know up front that the dollars are there rather than having to wait for monitoring results.

Also, it means that boards will have less administrative work to do and accordingly will be able to direct their resources towards dealing with the needs of the students themselves. The incidence funding has the growth built in. Accordingly, if there are more students in a jurisdiction, there will be greater funding available based on those set incidence rates.

THE SPEAKER: The hon. Member for Edmonton-Norwood, followed by the hon. Member for Calgary-Glenmore.

Aboriginal Police Services

MS OLSEN: Thank you, Mr. Speaker. Last year the Minister of Justice committed in the Legislative Assembly to fix the problems involved with aboriginal policing. My questions are to the Minister of Justice. What specific recommendations have been brought forward by his department since the release of the Cardinal report on aboriginal policing?

MR. HAVELOCK: A good question, Mr. Speaker. The department is in the process of reviewing the recommendations from the hon. Member for Athabasca-Wabasca. I believe we are now soliciting input from the aboriginal community regarding some of the specific recommendations. I saw the government and department response, I think it was about 10 days, two weeks ago, and it's still being worked on at this time. Hopefully it will be out in the near future.

MS OLSEN: Thank you, Mr. Speaker. What efforts were undertaken to mend the bridge between the Department of Justice and the

aboriginal community when outrage was expressed over the conclusions of the report?

MR. HAVELOCK: Well, Mr. Speaker, I don't believe there was the need to mend bridges. The report came forward with a number of very good recommendations. The hon. member worked on them for quite some time. The aboriginal community was provided opportunity for input with respect to the report recommendations. In fact, before the report was provided to me, I believe it was sent out to all aboriginal policing forces and agencies for them to review.

We need to recognize, Mr. Speaker, that aboriginal policing in the province is a very important component of our justice system. However, when you are establishing and setting up really what amounts to new police agencies, there will be some difficulties experienced. We need to look at the training issues, the funding issues, et cetera, and that's what the report attempted to do in a very honest and straightforward way. If nothing else, it's opened up the avenues of dialogue. We've been, again, meeting and discussing the issue with the aboriginal communities, and I think we're going to see some good recommendations in the near future.

2:30

MS OLSEN: Mr. Speaker, given that there was a large amount of anecdotal information, how is the link between crime and welfare substantiated in the Cardinal report?

MR. HAVELOCK: Well, Mr. Speaker, I don't believe the report dealt with that specific issue. However, I can generally comment that those who are faced with economic difficulties unfortunately seem to be more involved with the justice system. I can also state unfortunately that while the aboriginal population represents about 5 percent of our total population, they nevertheless comprise about 35 to 40 percent of our prison population. That's one of the reasons we looked at aboriginal policing. It's one of the reasons we're considering an aboriginal court proposal at Siksika. Also, I've made a recommendation to both the aboriginal and Metis communities that we establish advisory committees so we can work through these types of issues.

The Justice department is very aware of the difficulties aboriginals face with the justice system, as is our government. Our government is very concerned about our aboriginal population generally, and we work closely with the aboriginal community to try to address those issues.

Education Funding

MR. STEVENS: Mr. Speaker, there have been a number of reports recently which are causing some of my constituents to be very concerned that Calgary students are not realizing the benefit of all of the financial resources collected through local property taxes. My questions this afternoon are to the Minister of Education. Would the Calgary board of education see any additional benefit for their students if they were allowed to keep all of the money raised from property taxes within Calgary?

MR. MAR: Well, Mr. Speaker, this is a question that is frequently raised in meetings that I have in Calgary, and the short answer to the question is no. Educational opportunities in this province are not based on the wealth or the lack of wealth of any municipality. Education funding is based on fairness and equity and has more to do with the needs of students. Now, school boards, interestingly, apply the same principles of equity and fairness in allocating funding to the various schools within their jurisdictions as we do in providing funding to the jurisdictions throughout the province. It's interesting

that a recent KPMG report cites our method of funding education as a model that should be considered in other types of provincial funding.

For the 1997-98 school year these are the figures. Calgary school boards received a total of \$666 million. Of this, \$355 million came from education property taxes, and the remainder came from the general revenue fund, an additional \$311 million. In aggregate, Calgary property owners paid \$356 million into an education property tax pool, a difference of only \$1 million.

MR. STEVENS: Thank you. Mr. Speaker, there's also a real concern among my constituents about apparent inequities in the education funding system, and as such I would like to know how it is that rural areas of the province and Edmonton schools appear to get far more dollars per student than Calgary.

MR. MAR: Well, Mr. Speaker, like the hon. member asking the question, I have read about these alleged inequities, and I'm pleased to take this opportunity to set the record straight. Calgary students are funded the same as students from boards in other parts of the province. Every school board in the province receives an equal per student amount for basic instruction and then additional funding on a per student basis to meet the special needs of their students. As an example, if a board has a higher proportion of high-needs students, it receives more funding to meet those particular needs.

So, as an example, in Calgary the Calgary board of education has a higher proportion of students who require English as a Second Language programming. Accordingly, they receive more money for that than other jurisdictions. In Edmonton there is a higher proportion of children with severe disabilities, and accordingly they get more money than other jurisdictions to meet those needs. Northlands school division has higher transportation costs, and accordingly they receive more money for those particular areas.

Mr. Speaker, the basic instructional grant rate is the same throughout the province, and then there is a reflection of different costs based on the different demographic needs of students throughout the province of Alberta.

MR. STEVENS: Thank you. Mr. Speaker, how else could we fund education if not through property tax?

MR. MAR: Well, Mr. Speaker, I would want to say that there's about \$1.3 billion in property tax that goes towards education. It represents about 39 percent of total education funding. To remove education from the property tax base means, of course, that the province would have to find an additional \$1.3 billion somewhere else. But I wish to remind members of the House that these are taxpayer dollars, and there is only one taxpayer. Albertans would still have to pay that \$1.3 billion, if not in property tax then in some other form. So as it stands right now, our current system of funding of the public education system through general revenue and education property taxes provides equitable funding for students no matter where they live and equitable taxation for property owners in the province of Alberta.

Recognitions

THE SPEAKER: Hon. members, 30 seconds from now I'll call on six hon. members today, and we'll proceed in this order: first of all, with the hon. Member for St. Albert, then the hon. Member for Edmonton-Riverview, then the hon. Member for Highwood, then Edmonton-Mill Woods, then Edmonton-Mill Creek, then Edmonton-Gold Bar.

Drug Abuse Resistance Education

MRS. O'NEILL: Thank you, Mr. Speaker. On February 24 I had the distinct pleasure and the honour of attending the DARE graduation of the students, all in grade 6, at Sir Alexander Mackenzie school in St. Albert. As you know, DARE stands for drug abuse resistance education, and it is a timely program tuned in to the youth culture and the demands and the pressures that our youth experience in these days, particularly in a school culture as well as in social circles after school.

[Mrs. Gordon in the chair]

Led by RCMP Constable Barry MacIntyre, who worked with teachers I'd like to name: Janet Hurley, Roger Bouthillier, Marlene Keanie, Cheryl Cariou, and Ellen Snaith, and also with the assistance of Maureen Walker, the school secretary. All of these teachers and students participated in a program that I think is most timely, and I'd like to congratulate all of them and all of those who administer the DARE program throughout this system.

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

Alberta Women's Hockey Team

MRS. SLOAN: Thank you, Madam Speaker. I'm pleased to recognize today 20 young women and their coaches representing Alberta in women's hockey at the Canadian Winter Games in Corner Brook, Newfoundland. These young women are Kelsey Bills, Danielle Bourgeois, Rickie-Lee Doyle, Kristen Hagg, Robbie Hodgson, Kristina Kother, Dani Jo Lansing, Carla MacLeod, Avery McGlenn, Kelsey Norsworthy, Lara Ruppell, Navada Russell, Kristy Semeniuk, Lara Smart, Erin Smith, Kearstin Solberg, Laura Stosky, Nicole Symington, Amanda Tapp, Meagan Walton, and coaches Shirley Cameron, Julie Stevens, and Jim Fetter.

Our thoughts and best wishes are with each of these young women as they represent our province. I would summarize by saying: go, girls.

Christ the Redeemer School Division

MR. TANNAS: Madam Speaker, I wish to recognize the great work and efforts by Christ the Redeemer school division and their students, teachers, administrators, trustees, and parents. A recent Department of Education study showed that out of 57 school divisions in the province, Christ the Redeemer school division scored highest in grades 3, 6, and 9 in the 1998 provincial achievement tests in the category of standard of excellence and in the category of students achieving acceptable standard rating.

Congratulations, then, to Good Shepherd, Holy Trinity Academy, and St. Paul's Academy in Okotoks, Holy Spirit Academy in High River, all in the Highwood constituency; Assumption school, Oyen, and St. Anthony's school, Drumheller, both in the Drumheller-Chinook constituency; and Holy Family Academy, Brooks, in the Strathmore-Brooks constituency. Well done. We're all proud of your achievements.

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

2:40

Hazel Cameron School

DR. MASSEY: Thank you, Madam Speaker. I want to recognize the efforts of students at Hazel Cameron school in Vulcan, Alberta.

These students have undertaken to try and help alleviate the deplorable conditions in their school. In their letters, which I tabled earlier this afternoon, they describe in blunt, graphic language the foul air, the tainted water, and the molding carpets that make them ill. Their letters should make all of us and particularly the government ashamed. How can we, living in one of the richest provinces in the world, let schools so deteriorate that the children themselves are forced to take action?

[The Speaker in the chair]

Their letters raise many questions. When will we have a plan, a plan that in the short term will immediately clean up or replace schools like Hazel Cameron? When will we have a plan, a plan that in the long term will ensure that our school buildings are safe, secure learning environments? When will we have a plan that doesn't pit community against community and neighbour against neighbour? The students at Hazel Cameron school deserve such a plan. So do all the children across this province.

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

Canada Winter Games

MR. ZWOZDESKY: Thank you, Mr. Speaker. The Canada Winter Games in Corner Brook, Newfoundland, just wrapped up their first week of competition. During the two weeks that the games are held, sporting events are divided into either the first or the second week of competition. At the midpoint of the games Alberta has 10 gold, seven silver, and 19 bronze medals. I'm especially proud that one of the medal winners is a constituent of mine, Brandon O'Neill, who won a bronze medal in men's team artistic gymnastics. In the medal standings Team Alberta is currently in third place, following closely behind Quebec and Ontario. This is an outstanding showing thus far, and I want to congratulate all the members of Team Alberta, including their families, coaches, and trainers, on their successes to date.

The second week of competition includes alpine skiing, men's curling, and women's hockey among other sports. I know all members join me in sending our very best to Team Alberta during the second week of competition. These are primarily all young athletes, aged 10 to 24, and they are all very well deserving of our support and encouragement.

Thank you.

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

Olive Wade

MR. MacDONALD: Thank you, Mr. Speaker. Olive Wade, who last week celebrated her 100th birthday in St. Andrew's selo in Forest Heights, was born in Stansbury, England, on February 25, 1899. She arrived in Alberta with her family at Lacombe in March 1906. Homesteading west of Gadsby, she married a horse trader and in the early '20s started raising four sons while helping her family manage many various business enterprises. Wade's furniture store supplied furniture and furnishings to many northern Alberta homes during the 1940s and 1950s. An avid gardener all her life, she routinely challenges and beats family members at two of her favourite passions, cards and Scrabble.

She was selected by the Vegreville Legion to be their 1997 Silver Cross Mother, and they have honoured her again by asking her to perform this function in her 100th year. On behalf of all members

of this Assembly I would like to congratulate this remarkable woman on the occasion of her 100th birthday. Her family history is a reflection of the history of this fine province.

Thank you.

THE SPEAKER: Hon. Member for Edmonton-Glenora, you caught my eye on a point of order.

Point of Order Allegations against Members

MR. SAPERS: Thank you, Mr. Speaker. I am referring to Standing Orders 23(h), "makes allegations against another member," and (i), "imputes false or unavowed motives to another member." I'm referring to the exchange in question period earlier today between myself and the Premier. During that exchange I asked a question in regard to the Premier releasing documents, not documents that he had given to the Auditor General but specifically asking that the Premier release the documents publicly which he had otherwise given to the Auditor General.

Sometimes points of order are an extension of debate. In this particular instance, Mr. Speaker, I take this very, very seriously, because in the Premier's response he left the impression with Albertans that the Auditor General had requested information or documents or some sort of statutory statement from myself and that perhaps I had failed to comply with such a request.

Mr. Speaker, the facts would indicate that the Auditor General has never asked me for any information in that regard, and if the Auditor General had asked me for information, I certainly would have complied with the request. But the request never happened. I think it was unfortunate that the Premier would make the allegation that somehow this member wasn't complying with a request of a legislative officer on such a serious matter. I think the very least the Premier could do is set the record straight and take the first opportunity to tell Albertans that he was wrong to suggest that a request had been made and that it wasn't complied with.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I was listening closely to what the Premier had to say, and if I have it correct, I think the statement was: he didn't know if the hon. member across the way had provided evidence to the Auditor General – that was the extent of the remark – not that he had been asked to provide evidence and had not. He didn't say that he was obligated to provide evidence, whatever. I mean, the simple statement was: he didn't know if the hon. member provided anything to the Auditor General. I would think that's a very clear statement. There is no point of order, and only the most paranoid individuals out there would interpret the statement in that way.

THE SPEAKER: Hon. members, during the exchange that occurred during the question period this afternoon, the chair certainly heard the responder to the question, in this case the Premier, indicate that he didn't know if one hon. member had provided information to the Auditor General or not. The hon. member rose on a point of order. Well, as a matter of fact, even before that, in the preamble to the third question, the hon. Member for Edmonton-Glenora did make a comment that clarified this matter, indicating that he'd never been asked. We've now had a purported point of order, and I think that it probably served the purpose of clarifying the situation. It's all written in *Hansard*.

So let's move on with Orders of the Day.

head: Orders of the Day

head: Government Bills and Orders
head: Second Reading

Bill 7
Alberta Health Care Insurance
Amendment Act, 1999

THE SPEAKER: The hon. Minister of Health.

MR. JONSON: Thank you, Mr. Speaker. I'm pleased to move second reading of Bill 7, the Alberta Health Care Insurance Amendment Act, 1999.

Mr. Speaker, an important component of the government's health care restructuring was for regional health authorities, health care providers, and indeed this government defined ways to provide quality, cost-effective health care services for Albertans. While it's clear that continuous improvement does not happen overnight, I am pleased to say that it is happening throughout the health care system.

Mr. Speaker, the government is constantly looking to improve the role it plays in providing quality health care to Albertans, and Bill 7 is an example of improvements through action. The Alberta Health Care Insurance Act currently provides authority for the Minister of Health to make regulations governing the rates payable for benefits for health services covered under the Alberta Health Care Insurance Act. It also allows the minister to make regulations governing the manner in which benefits are to be paid, the person to whom benefits are to be paid, the conditions of payment, and the information required to be submitted in connection with claims for benefits. The act also specifies the goods and services that are basic health services or extended health care services for the purposes of the Alberta health care insurance plan.

Mr. Speaker, under the proposed Alberta Health Care Insurance Amendment Act, 1999, the Minister of Health would also now have the authority to make regulations that are considered necessary for the efficient operation of the Alberta health care insurance plan. Specifically, the proposed amendment provides for the improvement and uniform use of electronic billing systems by physicians in the province. The amendment also sets out penalties for physicians and dental surgeons who charge Albertans directly for insured services rather than submitting claims to Alberta Health for payment. The penalties range from warnings to disciplinary action and fines and are the same as the penalties for extra billing.

2:50

Mr. Speaker, this is important legislation, and I'll give you an example of how Bill 7 will go to work immediately for all Albertans once it is law. I wonder how many Members of the Legislative Assembly are aware that the Alberta health care insurance plan regularly processes about 600,000 claims each week from physicians for health care services they provide. In an effort to make the billing process as efficient and effective as it can be and to make sure that physicians receive their remuneration in a timely and efficient way, Alberta Health has instituted an electronic billing system that we use to process about 99 percent of claims for benefits. Obviously the electronic billing system is the preferred way to continue operating efficiently and effectively.

Think for a moment what might happen to the health care insurance plan and its patients if the electronic claims system wasn't used and instead invoices on paper were submitted or patients were billed directly and required to collect from Alberta Health. Bill 7 will allow the minister to make regulations to prevent such a situation from occurring. It will specifically include authority for regulations stipulating how claims must be submitted, who may

submit claims, to whom payment must be made, prohibiting a practitioner from charging patients directly, and authorizing the minister to withhold payments for claims not submitted in accordance with these regulations.

Mr. Speaker, Bill 7 will also permit the minister to make other regulations to address administrative problems as they arise and ensure the efficient operation of the Alberta health care insurance plan. The government is determined to administer its health care system in an efficient and effective manner, and Bill 7 will make certain we meet that commitment today and in the years to come.

I welcome of course, Mr. Speaker, a further discussion at second reading on Bill 7, and I thank you for your attention.

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

MS LEBOVICI: Thank you, Mr. Speaker. I thank the Minister of Health for providing that overview on the intent of Bill 7, the Alberta Health Care Insurance Amendment Act, and in fact I recognize that the purpose of this act is to provide for the minister to make regulations in order to be able to administer our public health care plan. Due to the fact that the plan and the regulations are required in order for the billing to be submitted electronically, this bill provides the umbrella under which that can happen.

The minister made some remarks in terms of this being a more efficient and effective method. I would appreciate it if the minister could actually provide us with the evidence on whether or not this system does make the billing process more effective and efficient. I have heard from a number of physicians throughout Alberta that in fact it takes a long time for billings to be processed, to the point where some physicians are having to dip into a line of credit in order to ensure that their offices are still able to function.

The other concern that I have heard from physicians across the province is the issue of what can be claimed, that it seems to take a long time for changes to be made to the system to recognize new and better treatment methods, and that in fact physicians do not and are not able to bill for those new procedures because there is no code for those particular procedures. I'm sure the minister has within his department the ability to find that out. Some of it is with regards to orthopedic surgery, so I'm sure that he can find and maybe expedite the problems that are within that particular area.

The reality is that what this particular bill does is provide more power to make regulations. It allows the minister to deny payment to providers if the claims are not submitted properly and also provides for fines of \$1,000 for the first offence and \$2,000 for the second and subsequent offences for physicians or dental surgeons who bill clients directly for insured services. That, I believe, is a good feature, that there is the ability to fine individuals who are trying to bill outside our health care insurance plan.

I have a question with regards to the denial of payment to providers if claims are not submitted properly and whether there will be some checks and balances within the system so that a physician, for instance, is not penalized for something that happens within the department. If I can just give an example where a physician attempted to bill for a particular procedure. The procedure was not at that point in time considered billable under the plan. In talks with the department over a period of months, the procedure was indeed deemed to be billable, but because the process took so long within the department, the physician was not able to claim because he was out of the time limits for claiming. That clearly lies within the responsibility of the Department of Health. The physician did attempt to provide the claim in a proper and appropriate manner but because of some backlogs and some obstacles within the department was not able to actually get that bill paid.

There is a fair amount of – I don't know if there is such a word as "disgruntlement" – disgruntled physicians with regards to the management of the payment scheme. We all know that when we try to provide for a system under a new electronic method of billing, there tends to be glitches within the actual plan or the actual provision of that service. Again, what provisions and assurances can the minister give that in fact if there are any delays, if there are any glitches, if there are any concerns, there is a mechanism within this act that allows for that to be addressed in a timely manner so that in effect a physician is not penalized inappropriately?

Other than those comments, the bill appears to be one of a routine nature that can almost be addressed as a housekeeping bill. At this point in time, other than waiting to hear what the comments of the minister would be with regards to these questions that I have been asked, I would wait until Committee of the Whole to perhaps put in some amendments.

The only other comment that I would make is with regards to how this particular bill interacts with the information protection act that the government will be putting forward in the near future and whether in fact we should have perhaps seen that bill before having this bill brought into the Legislative Assembly.

Thank you.

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

MR. DICKSON: Thank you very much, Mr. Speaker. I was just in the process of sending you a note, so I can relate it in fact orally now. When I was looking at Bill 7, it's an amendment to the Health Care Insurance Act. I had one of the pages bring me a copy of the *Statutes of Alberta*, but there is no 5.4(1) in the one set. So I had the other volume pulled, because I think we have two sets of the *Revised Statutes* here in the Chamber. Neither of them have the sections that we're supposed to be amending.

If I just might make the observation, Mr. Speaker, that I think it's critical that in this Assembly the *Statutes of Alberta* be updated. If there were changes as a result of Bill 21 last fall, one would hope that, of any place in Alberta, the statutes in this Chamber would reflect all of the amendments right up to the commencement of the session. So if I can raise that concern.

3:00

Now, the other item I was going to say, if one looks at page 2 of this very thin bill, it's the new section 3(b), an amendment to section 7. One of the things it will do is allow the minister to make regulations "providing for any other matters the Minister considers necessary for the proper administration of the Plan." You know, I listened carefully while the Minister of Health explained the challenges posed by the electronic claims system. I think he said 600,000 claims were being processed each week. I mean, I'd hate to think I was a Luddite. I appreciate the value of electronic processing, but it seems to me, Mr. Speaker, that to turn around and say that the minister, without any recourse to this Assembly, can come in and do a regulation "providing for any other matters" is just far beyond what would be warranted, what would be appropriate.

If there are problems with the administration of the plan that require changes that aren't already contemplated by the existing act, then surely the appropriate thing to do would be for that minister to come back to this Assembly, introduce an amending bill saying: I have to have a power to do this or that. If in fact the minister gets the amendment he seeks, the new clause (d), we may never have reason ever again to see an amendment to the Alberta Health Care Insurance Act. What would be the point? Virtually everything can be done by regulation.

I think members are mindful of the fact that this is one of the few jurisdictions where regulations are not vetted in any sort of a public, all-party forum. We have the Standing Committee on Law and Regulations, which has not met, I think, in the history of any member in this Assembly. I may be corrected there; there's some members who have long histories in this Assembly. But for most of us not within our history in this Assembly have we seen that Standing Committee on Law and Regulations be mandated to do anything.

What we have is that the minister is going to have this absolutely enormous power to do "any other matters." This is almost as broad as the offensive provision in the Railway Act that we saw a year ago, in 1998. This becomes a real problem. I think what happens is that the people in the minister's office are so anxious to help the minister and make it easier for the minister that they sort of forget there's a legislative process, an executive process, and that one is every bit as valid as the other. I think there may be some people in Alberta Health advising the minister – they may have the minister's ear – who think that in fact there is no legislative process, that it's simply the minister and his department making all those decisions.

Mr. Speaker, I know the minister knows that's not the case. I don't understand why this minister, who has always shown, I think, a good understanding of the parliamentary system – he tries hard to be accountable in question period, he tries hard to respond in a timely way to questions asked in budget debate, and he knows what the purpose of this Chamber is. So one would have to ask then: why does he try and confer this enormously broad power on himself and his ministerial officials outside of this place?

Now, at such time as I get a copy of the act that's been updated with all of the recent amendments, then I might have some other suggestions for the minister when we get to the committee stage. But I do think this. When I look at the new proposed amendment power in the new proposed clause (d), I would challenge the minister – he gave some examples earlier – to offer the members of this Assembly some examples of why he needs a power that broad. The regulation power is already going to be increased dramatically with the other elements in here. Mr. Minister, through the Speaker, we understand what's required in those other ones, but why have we sort of thrown in this catchall, residual delegated provision?

I'd just challenge him, before this bill gets too far down the legislative assembly line, to give us some examples of things that can't be brought under one of the other sections. I've looked at them, and they're very, very broad. The old (b) came out; we've got a new (b). We've got another six kinds of regulations that can be made that serve a specific purpose. Why do we need this thing at the end? Why do we need this regulation "providing for any other matters the Minister considers necessary for the proper administration of the Plan"?

You might have a minister who wanted to increase his Department of Health from the 631 employees to 1,200 employees.

MR. DAY: I wouldn't let it happen, Gary.

MR. DICKSON: Oh, that's really scary, Mr. Speaker. The Provincial Treasurer is saying: sure; increase the civil service for the biggest department by 100 percent.

Well, Mr. Speaker, members in this caucus are fighting to make sure that government is lean, that there's not an excessive number of civil servants. We want to make sure. I'll go this far out on a tree limb and say on behalf of the Alberta Liberal caucus: we support government to do the job, but we don't need surplus bureaucracy. I think it's important that we have a bureaucracy that's tailored to meet the task at hand. Now, maybe the Minister of Health is in that

camp too. If we can't include the Provincial Treasurer, I'd like to think the Minister of Health would be shoulder to shoulder with my colleagues in wanting frugal government.

I'm a little nervous, Mr. Speaker, with the provision that's in here. Sure; we can lock arms with the Minister of Health and fight for fiscally responsible government. But I'm a little worried here that there's a crack in the wall. I'm a little concerned here that this is going to lead to a vastly bigger bureaucracy administering a host of things. The Minister of Health shakes his head as I speak, and that's fine; that may not be his intention. But, you know, we hear rumours of a cabinet shuffle immediately after the spring session of the Legislature. I don't want to lose my wager. I was hoping I might get some advanced indication of who's moving.

Mr. Speaker, I do think, though, that this Minister of Health's successor, the next Minister of Health, may not be as fiscally prudent as the current incumbent. Somebody could well take this huge delegated lawmaking power and run with it, and all of the Provincial Treasurer's men may not be able to rein in that new Minister of Health.

MR. DAY: And women.

3:10

MR. DICKSON: That's right: men and women.

So, Mr. Speaker, that's my challenge to the minister: to make the case, because he hasn't done it yet, why you need this huge power in (d), to make the case that there are things that have to be dealt with by way of regulation that aren't covered in any other regulation provisions. Those are the points I wanted to make, and I'm sure looking forward to the response that I know I'm going to get from the Minister of Health before we get to the committee stage.

I want to be able to support a bill which I think is positive in many respects. I want to support electronic processing of claims. I don't think we need 1,200 people in the Department of Health, so if we can use technology to help manage the claims, that's a good thing. I want to make sure that physicians and dental surgeons don't abuse the Alberta Health Care Insurance Act. I support that, but I'm very, very concerned with the regulation and lawmaking power.

You know, what the minister may want to do in fact as evidence of good faith is delete that provision in the act. If he were to do that, I would undertake to arm-twist my colleagues – my colleague for Edmonton-Meadowlark, the Health critic – to do everything we could. I would be the Minister of Health's very best advocate in this caucus for expedited passage of this bill. I'd be prepared to go to Albertans and say: this is a bill that's needed, that's appropriate, and let's get it passed. But I need that commitment from the minister, Mr. Speaker.

Thanks very much.

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

DR. MASSEY: Thank you, Mr. Speaker. I, too, would like to add a few comments on Bill 7, the Alberta Health Care Insurance Amendment Act, 1999. As the minister spoke about the bill, a number of questions were raised. I think the most obvious one of course is: what is the incidence of physicians who abuse the system? Is this a major problem that calls for this kind of legislation, or is it a minor problem for the department? I would be interested in terms of the magnitude of the problem.

One of the other questions that I would like to have an answer to is: how are the decisions appealed? The minister has power to really control who and what is paid for, and if a physician is unhappy with that decision, how do they go about expressing that unhappiness? So

there is a mechanism – I'm sure that there is – but I obviously don't know what it is.

I think the part of the bill that we'll all applaud is the prevention of extra billing procedures by medical doctors and dental surgeons. Extra billing is a constant problem, and it's good to see the provisions in this bill to ensure that that practice isn't advanced.

The question that has been raised by the previous speaker is one, too, that I think needs to be answered, and that is: why the broad powers by the minister to administer the plan? Are those kinds of powers really necessary for the act and for the business of the department to progress?

I think my final question, Mr. Speaker, would be about when the minister indicated, when he was speaking to the bill, the rather staggering volume of claims that are processed by the department. I wondered: how do they police that kind of a bookkeeping system? What other kinds of systems have been proposed? It seems, at least to an outsider listening to the minister's comments and the provisions in this bill, that it must be a bureaucratic nightmare trying to get those claims processed and physicians and surgeons reimbursed in an appropriate amount of time. So I wondered if there were other systems, systems used elsewhere, that would reduce the amount of paperwork or electronic mail kind of work so that those large numbers were not dealt with individually by someone in a department.

Thanks very much, Mr. Speaker.

THE SPEAKER: The hon. Minister of Health to close debate.

MR. JONSON: Yes, Mr. Speaker. I'd like to, just in response to the comments of members opposite, respond to two or three of the major points that were raised. I would also like to indicate that I do recognize that there were some very specific items raised with respect to one or two clauses, and these, I would respectfully suggest, would be best dealt with in committee.

One of the general concerns that was raised is what seems to be the overall size of the system and the numbers of claims being processed. Yes, Mr. Speaker, when you have a fee-for-service system to reimburse anyone, in this case our physicians, it is a very complex system. If we did not have the electronic recording and payment system that is being alluded to in this bill, it would lead to a large bureaucracy. It would lead to time-consuming calculations and a great use of the postal system, et cetera, et cetera. The system that has been put in place is a tremendous advance in terms of both the promptness of payment back to physicians as well as the overall efficiency with respect to costs incurred by the Department of Health in administering this particular program.

The second item that has been raised that I would like to respond to. The question, I think, to paraphrase it, is: what is the appeal process? Well, with respect to a specific physician's specific problem, whether it was perhaps a clerical error on our part or a clerical error on the part of the physician's office, this is resolved through the claims branch, through the administration area now in Alberta Health. However, if it is a more fundamental issue – that is, it is deemed by a physician or by a group of physicians that there is some new service there that is not recognized, not coded under the health care insurance plan – then we do have committee structures through our administration of the Alberta Medical Association's fee-for-service agreement and the overall agreement to discuss and to resolve these types of matters.

It is a fact that it is always there, that with health care being an evolving and growing service in terms of what is possible to do in terms of treatments for the public, there will be some new medically required procedure that will come up that isn't in the coding system

or in the Alberta health care insurance plan. In most cases, Mr. Speaker, we in Alberta Health try to anticipate those and get that factored into the overall payment system, but if there are cases where this is not the case, there is a route of appeal to have these things addressed.

Thank you.

[Motion carried; Bill 7 read a second time]

Bill 9

Tobacco Tax Amendment Act, 1999

THE SPEAKER: The hon. Provincial Treasurer.

MR. DAY: Thank you, Mr. Speaker. Bill 9 actually is a provision for tobacco which in fact is marked for tax-exempt sale, and it deals with that. It's similar to what now exists in Ontario. In its simplest terms it involves basically tobacco product intended for tax-exempt sale being marked with a dark cellophane strip around it and hence the term "black stock." It makes enforcement and prevention of abuse easier, and it makes it easier to detect tobacco that's sold as exempt and now at times unfortunately winds up on retail store shelves. This, of course, would go a long way to prevent that type of abuse and in fact protect the right of those who can purchase tax-exempt tobacco from having that right diminished because there is abuse that goes with it.

3:20

Mr. Speaker, the various sections I think are fairly straightforward. Section 1 is being amended, defining and actually articulating what black stock is. Section 3 talks about and makes reference to wholesale dealers and also the retailers and goes further in terms of describing the maximum amounts of this type of tax-exempt tobacco which a person can have in their possession at any one time. Also, to be sensitive to certain times and needs, especially as related to aboriginal groups where there may be a requirement for more than the exempted limit, section 14 talks about what can be done in such a case, how that is noted, and how a person can indeed have that extra amount. Section 20 also makes reference to records and books and what's required there, and it's deliberately intended not to be overly complex. As a matter of fact, a number of the dealers of this particular product are moving to electronic technology to better enable them to keep track of who's purchasing and in what amounts on a weekly basis. So there's some ease of record-keeping that's going on there.

Mr. Speaker, this will result actually in more dollars. Because abuse is being prevented, there will be more dollars to the Treasury, which in fact can then be used for our essential programs like health, education, and other areas.

I present this for consideration at second reading, Mr. Speaker.

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

MR. SAPERS: Thanks, Mr. Speaker. I want to start off my remarks on second reading on the Tobacco Tax Amendment Act by thanking the Provincial Treasurer for arranging for a briefing with his departmental staff. It was much appreciated, and it was a very thorough briefing on a fairly straightforward amending bill but not a bill that's without its own questions and controversy. Perhaps we'll get into a little bit of that as the bill proceeds through its various stages of debate.

The Tobacco Tax Amendment Act, 1999, will in fact establish increased enforcement of surveillance measures as they pertain to the purchase, possession, storing, sale, or the reselling or offering for sale of tobacco products, not all tobacco products, cigarettes and

fine-cut tobacco. It will impact on wholesalers, importers, and retailers of these tobacco products to tax-exempt purchasers. Most of these purchasers fall under the Alberta Indian tax exemption program, or the AITE. The bill will create this new category of product designated as black stock, which, as the Treasurer said, primarily means that this stock is not marked for tax-paid sale in Alberta. The enforcement measures are designed to preserve the tobacco revenue base by preventing the resale of tobacco products by tax-exempt purchasers into tax-paid sale markets.

I would appreciate it, though, if the Treasurer could provide the Assembly with a little bit of information about what the erosion has been to date on the revenue base. What measures were taken to determine the degree to which the revenue base was being put at risk by the inappropriate sale of tax-exempt products? I wonder whether we're looking at an issue where we should be requesting more assistance from the federal government, as it does pertain to the federal fiduciary responsibility for First Nations peoples to some extent.

Now, there are concerns that tobacco sold on a tax-exempt basis on Indian reserves is ending up in retail stores outside of reserves. Alberta Treasury has provided me with a preliminary estimate. We may be losing about \$4 million a year, I believe it is. But, as I said, I'm interested in some more details about: has this gone up in recent years, has it been relatively stable, what are the projections for the future with the current level of enforcement, and could it be moderated with more enforcement? What is the right balance? I guess essentially the question is: what's the right balance between more legislation and more enforcement?

It has been pointed out that Alberta Treasury is paying out right now about \$50 million under the AITE on an annual basis. The surveillance activities that I understand have been taken by Alberta Treasury suggest that the payout should be approximately \$11 million, hence that \$4 million difference that I referred to earlier.

The "not marked for tax-paid sale in Alberta" means that tobacco products without the Alberta mark are not intended for sale in this province at all, and again this would relate only to manufactured tobacco, excluding pipe tobacco, cigars, and raw leaf tobacco. I know that the Treasurer and I share one thing in common, and that is that we don't smoke. I'm wondering if the Treasurer could explain if there is any concern around the resale of cigars. I understand that cigars and derivatives of cigars which are almost more cigarettelike than cigarlike may be a problem and may be a growing problem in terms of illegal activity and even smuggling, particularly because there is a large market to the south of us that can only illegally obtain Cuban-based tobacco products. I'm just curious as to whether or not we need to be looking at either more surveillance or more regulation in that area.

An exempt-sale retailer currently and under this act is a retailer registered with the tax and revenue administration of Alberta Treasury to sell tobacco to consumers who are exempt from the tax under the Tobacco Tax Act or another act of parliament. Bill 9 states that "no person shall . . . purchase or possess tobacco products that are black stock unless that person is" a registered wholesaler, importer, or retailer or is a purchaser exempt from the payment of tobacco taxes.

As I understand it, there are three categories of tax-exempt purchasers in Alberta: diplomatic corps, representatives of the federal government, or an Indian or an Indian band. I'm wondering, Mr. Treasurer, if the definitions of tax-exempt purchasers are now consistent with all federal legislation and whether or not there may be some work still in ensuring that we don't create a loophole with the way that the definition of tax-exempt purchasers is laid out in the legislation. Perhaps it's a regulatory issue and I'm just unaware of it.

[Mrs. Gordon in the chair]

I also have a question about the 1,000-gram limitation. Bill 9 states that no person shall possess more than 1,000 grams of black-stock tobacco products that are not marked for sale in Alberta unless that person is a registered wholesaler. A person who is tax exempt, however, may purchase more than 1,000 grams of black-stock tobacco in a calendar week but must "advise the seller that the person's weekly purchases of tobacco products have exceeded 1000 grams." Will this duality surrounding the 1,000-gram demarcation create enforcement problems? Again I'm just wondering if there's a cleaner way to determine whether or not a person is abusing the law or violating the law and if 1,000 grams is the right amount.

If a person does purchase more than 1,000 grams of black-stock tobacco products, the Treasurer

may assess a penalty equal to the tax on the amount of tobacco products purchased in that week that would have been payable if the tobacco products were not black stock.

The penalty, I'm assuming, would have to be a variable thing for it to have a desired effect of deterring people from abusing it. If the ultimate penalty is only to pay the equivalent amount of tax when and if you're caught and if this is seen as primarily a financial disincentive, I'm wondering whether that is the appropriate disincentive.

In other words, you roll the dice and you think, "Well, if the chances of being caught because of lax enforcement or not a lot of personnel are slim, it may be worth while to take the chance" if the worse thing that's ever going to happen to you if you do get caught is that you just have to pay the tax that you would have paid anyway. The Treasurer will know that I'm not always a fan of just being more punitive but just making sure that the most appropriate consequences are in place to achieve the desired policy outcome.

3:30

I can say that I personally support the intent of this legislation, and that's probably the most important note to make at this stage of the bill. It appears to be consistent with earlier enforcement and surveillance measures taken by Alberta to combat illegal purchase and resale of contraband tobacco products. Stronger reporting and enforcement and surveillance measures are instruments for controlling illegal tobacco purchases and sales and preserving the integrity of the provincial tobacco tax base while reducing the incidence of tobacco consumption.

This leads me, Mr. Treasurer, to another point. Again maybe we'll get more into this discussion during committee, but I'm wondering how this tax policy, basically being an instrument for increased surveillance and enforcement, links to other tobacco reduction strategies that the province has undertaken, whether it be through the Department of Health or other strategies aimed primarily at young people.

I would also be interested if the Treasurer could provide us with an update as to the resources that are being dedicated by the Alberta government either through the Treasury or through the Alberta Gaming and Liquor Commission towards joint enforcement activities with Revenue Canada and the RCMP. I understand that Revenue Canada has lent, in fact, some FTEs, has lent some people to Alberta in terms of enforcement. I'm wondering at what cost to the province, if any, and if this is a permanent secondment of personnel or if this is just temporary because there was perceived to be some crisis or a particular problem that needed to be cleared up.

Are the number of FTEs dedicated to tobacco enforcement and surveillance adequate? I believe the number right now is that there are four full-time permanent positions through either Alberta

Treasury or Alberta Gaming and Liquor. If it's more than the four for the whole province, I'd appreciate the Treasurer letting me know. This is complemented, as I say, by the secondment of positions from Revenue Canada.

Another point that I'm curious about is that aside from the increased surveillance and enforcement opportunities that the provisions of Bill 9 would make available to the province, what voluntary actions is the government examining relating to dealing with possible abuses under the Alberta Indian tax exemption or other potential abuses to the resale of tobacco products in the province?

It may be of benefit to look at a more comprehensive strategy for tobacco control and consumption, not just in this province but elsewhere across this country, instead of what tend to be fairly piecemeal changes. Not all provinces – in fact there are very few examples of real co-ordinated effort looking at public health education, tax policy all together in one package right across government policy when it comes to tobacco reduction strategies.

I must say that I'm glad to see that the Treasurer has brought forward a bill that deals with the enforcement issue and that acknowledges the revenue implications of the illegal resale of tobacco products, but I would like some more information in terms of the background, as I've enumerated, and I would like to perhaps hear from some of the minister's colleagues regarding some of the other points raised about joint and comprehensive strategies for tobacco reduction.

Thank you.

THE ACTING SPEAKER: Before we continue, can I have the unanimous consent of the Assembly to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests

(reversion)

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

MRS. SOETAERT: Thank you very much, Madam Speaker. There are two guests in the gallery today observing part of question period and part of today's debate. Their names are Maryann Stepien and Shirley Armstrong. I would ask them to please rise and receive the warm welcome of the Assembly.

head: Government Bills and Orders

head: Second Reading

Bill 9

Tobacco Tax Amendment Act, 1999

(continued)

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

MS OLSEN: That's correct, Madam Speaker. I just want to make a quick couple of comments, but I did think black stock. Hmm, I thought about that. I thought that identified the Treasurer. I thought that was a dark, gloomy cloud hanging over his head, Black Stock. I guess that's not the definition here.

However, it seems to me that this particular bill speaks to some enhanced enforcement guidelines for the purchase and possession of tobacco and is directly related, actually, to the aboriginal community. For a little bit of background the hon. Member for Edmonton-

Glenora spoke briefly of the Alberta Indian tax exemption program, and that's where the Treasurer has suggested the products are used primarily.

In fact, on the east coast they had a horrendous problem with black-market cigarettes and the sales on reserve to off reserve and the problem, the enforcement issue, that was created as a result of that. So I'm glad to see that this in fact addresses some of that.

I also would like to address the notion that an eligible Indian consumer is 18 years of age and over and can purchase tobacco exempt of Alberta tax provided that the tobacco product is purchased from a registered retailer located on a reserve and the tobacco is for their own use and not for resale. We have to recognize that it's okay for anybody under 18 to possess tobacco and cigarettes. However, it is not okay for those folks to purchase those products. So there is a delineation here, and when it comes to enforcement, that's one of the issues.

Certainly, as the hon. Member for Edmonton-Glenora has suggested, we do support the intent of this legislation as it appears to be consistent with enforcement and surveillance measures. It's important to note that for a few years it has been a huge problem, tobacco actually going back and forth across the border here. There has been a reduction in the number of police members that are actually available at the border crossings, so the entire enforcement at the border is left to Canada Customs. So there have been those kinds of issues brought up. The notion of stronger reporting is critical if you're to curb any of the illegal activity.

It's interesting to note, however, that the issue of staffing in relation to tobacco enforcement and surveillance has been brought up, and with the Alberta Liquor and Gaming Commission – as a matter of fact, some of the members I used to work with on the Edmonton Police Service are employed in that department and are enforcement officers there. I'm just wondering if the project with the notion of enforcement can actually be pursued if there is understaffing in those areas. One of the things that we do note is the reduction over the years in the provincial policing funding as well as in the municipal funding.

3:40

Again, you have to do undercover operations and apply surveillance techniques in order to catch people involved in this illicit activity. Unfortunately you are looking at one of the more expensive types of policing. So I'm just wondering if there's a target that the government has set in terms of enforcement quota, what they're actually looking for, and how they actually are going to pursue that given the limited resources, certainly from the policing perspective. Revenue Canada has always had a group of individuals in place. I'm not so sure that staffing for their enforcement is necessarily what it should be either. However, I think that's the bigger issue.

Again, as my colleague has suggested, we need to be looking at stronger strategies for the reduction of overall tobacco use. I think that's something that would be far more beneficial to this province, actually deal with some of the issues related to enforcement concerns, because the more we can do to prevent the young people from starting up that nasty habit – I think, Madam Speaker, you do have that habit as well. It's really important to look at, especially from a health perspective. I think the Minister of Health would really appreciate some help from all of us in here. I certainly will support the hon. Treasurer with this bill.

Thank you.

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

MR. DICKSON: Thanks very much, Madam Speaker. Just a couple

of comments. My attention was immediately drawn to page 5 of the bill, the new section 7, and I want to encourage the Minister of Health to look. This is a model of drafting regulations. There's nothing in this bill that says, "And the Provincial Treasurer can then make any other regulations he determines appropriate to administer the program," which is the equivalent to what we saw a moment ago in Bill 7. Here we have specific powers conferred by way of regulation.

I just had to point out that if the Minister of Health were to use this as a template, he could go back to the bill we looked at a moment ago – I know that we are dealing with this bill now, but I just couldn't resist offering that advice to the Minister of Health, that the Provincial Treasurer could give him some drafting assistance. Maybe there's somebody in the Treasury Department, the cracker-jack who came up with this, who could spend a moment with people in the Health department, and we can ensure our regulations in fact weren't trying to push the edges and expand the power of the executive branch.

The concern obviously is one of dealing with the smuggling and illegal sale of tobacco products. As part of a caucus that has always supported the tobacco reduction strategy that's been developed in this province, I think this is a component of that. I think it's consistent with that.

I note that not everybody will be happy to see this kind of legislation. Moliere, the French dramatist, is quoted as saying: "Aristotle and the philosophers notwithstanding, there's nothing to equal tobacco. It's an honest man's habit and anyone who can live without it doesn't deserve to live at all." Well, that's not the sentiment that we're trying to promote in this province with our tobacco reduction strategy.

I'm pleased to see that Bill 9, the Tobacco Tax Amendment Act, helps to address tobacco use, but really this is a bill focused on the economics. This is a bill focused on protecting provincial revenue. One could say, Madam Speaker, that we wished the government were animated with as much vigour and as much enthusiasm for protecting the health of the lungs of Albertans as they were for protecting the tax revenue of the province of Alberta. They're both equally important, but I have to say it's interesting that when it looks like smuggling or sale of illegal tobacco products may have a prejudicial impact on the provincial treasury, the Provincial Treasurer is right there front and centre, supported by his cabinet colleagues, to put a stop to it.

But, you know, I think how long it took us in this Assembly before we finally passed the bill sponsored by the Member for Calgary-Cross and have struggled through trying to deal with secondhand smoke and the brave effort by the member representing the Okotoks area in terms of dealing with other tobacco products. I wish we could fast-track, Madam Speaker, the tobacco reduction strategy as expeditiously as the Provincial Treasurer has been able to move along this particular item targeted at protecting provincial revenues.

Those are the comments I wanted to make, Madam Speaker. Thanks very much.

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

MS LEBOVICI: Thank you, Madam Speaker. I, too, would like to say a few words with regard to Bill 9, which has been indicated as establishing enhanced surveillance and enforcement guidelines for the purchase, possession, and sale of tobacco products by wholesalers, importers, and retailers to tax-exempt purchasers, in particular those tobacco products that are designated as black stock and not

marked for tax-paid sale in Alberta. This particular bill seems to be consistent with some of the earlier measures that have been taken to increase the enforcement and surveillance activities while preserving the tobacco revenue base and also preventing the resale of unmarked tobacco products.

As part of this strategy, however, we need to also look at the flip side in a sense, and that is the incidence of tobacco consumption and whether or not the Treasurer and the government are able and willing to move on that particular issue, particularly when we look at the impact that the consumption of tobacco has on the Health budget in terms of cancer and other health hazards that crop up as a result of basically smoking or chewing tobacco – I guess those are the only two ways you can consume tobacco that I'm aware of – or inhaling secondhand smoke.

It would be helpful to know with regards to this particular bill what exactly the resources are that are being dedicated by the government right now towards the enforcement activities and also the joint enforcement activities within Revenue Canada and the RCMP. There are probably two areas that would be most affected by having to allocate resources to this particular bill, and that's the department of Alberta Treasury and the Alberta Gaming and Liquor Commission.

It would also be interesting to note what the number of FTEs are that are dedicated to tobacco enforcement and surveillance at this point in time and if there will be increased costs to the Treasury to actually enforce this particular bill and what in fact the penalties are that are going to be assessed by the Treasurer in terms of an individual who purchases or possesses tobacco products that are black stock in contravention of the act. I don't believe that it is indicated within the bill exactly what the penalty will be other than it's a penalty in the amount equal to the tax that would have been payable, and I'm not sure how easy it would be to calculate that penalty.

3:50

There are some other questions as well that I have with regard to ensuring that the incidence of tobacco consumption is in fact what we are after with regard to this particular tax. Part of the role of assessing the tax is, I would imagine, to reduce the usage of tobacco either by making the product so expensive that people will not want to buy the product or by having those taxes redirected to prevention programs so that fewer and fewer people would want to engage in the usage of tobacco.

There is, I believe, nothing within the bill that talks about how we redirect the taxes that are gained from the sale of tobacco and whether or not those taxes in fact go towards some kind of an education program or some enactment of government policy to actually reduce tobacco consumption within this province.

While definitely we need to have improvements in enforcing and reporting within the Tobacco Tax Act, what probably is needed is a more comprehensive strategy for tobacco control and consumption. It would be interesting to see whether or not we in fact are going to see the action plan that's in the process of being developed by the Alberta tax reduction alliance actually being put into place in this province within this sitting and if there would be appropriate funding provided, perhaps funding that would come out of stricter enforcement of the tobacco tax.

Just worthy of note in conjunction with that thought, if I can just put out the fact that the province at this point in time takes in approximately \$345 million from tobacco taxes yearly but expends – and this is of course an estimate – around \$216 million on smoke-related health care services each year, and that's about 5 percent of the annual health care budget. So if in fact the government were

truly looking at ways to affect the whole budget and the health care budget, this would obviously be one key area that education could be provided in so that there could be some preventative actions taken to reduce the use of tobacco within this province.

Thank you.

[Motion carried; Bill 9 read a second time]

Bill 10

Land Titles Amendment Act, 1999

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

MRS. O'NEILL: Thank you, Madam Speaker. I now move second reading of Bill 10, being the Land Titles Amendment Act, 1999.

This act, Madam Speaker, amends the Land Titles Act, obviously, and the primary intent of this bill is to update and clarify sections of the Land Titles Act.

The land titles office is changing to an automated environment in order to enhance productivity and provide continuing service to Albertans. To continue improving customer service and efficiency, the land titles office is enforcing better information handling practices. Many sections of the Land Titles Act include references to "duplicate certificate of title." The duplicate certificate of title, initially put in place to replace deeds when the Torrens land title system was adopted in Alberta, has outlived its usefulness. This duplicate certificate has become an obstacle to the implementation of technology, and it limits productivity and improved service to Albertans. We will eliminate this certificate in preference to the automated record over a 12-month period to give landowners and other interested parties notification of the change and allow for an easy transition.

At this stage, Madam Speaker, I wish to outline the remaining changes to the Land Titles Act. The tariff of fees regulation restricts searches of land titles based on the use of a person's name. The Land Titles Act does not properly reflect this restriction. Because the act does not address up front the intended restriction on name searches, administrative problems arise when requests are made for name searches under inappropriate circumstances. These proposed changes will bring the Land Titles Act into conformity with the tariff of fees regulation by allowing only the individuals who have proper authority to conduct a name search.

Searches will still be done by other approved methods such as using the legal description of a parcel of land or an instrument number. This would ensure that the land titles office follows good information-handling practices. In addition, by using modern technology, these changes will allow for registration in a digital form and permit the required signatures and certificates to be placed on paper forms, which will be subsequently imaged and form part of the plan instrument. It is another move towards maximizing efficiencies.

The Land Titles Act does not state clearly that certificates of title must exist for all the parcels of land affected by a restrictive covenant and an encroachment agreement. This proposed amendment will clarify the fact that certificates of title must exist for all parcels of land affected by the restrictive covenant and encroachment agreements before the parcels can be registered. Amendments to the Municipal Government Act will also address these concerns.

In closing, I would like to assure all Albertans that formal discussions have taken place with concerned stakeholders, and these amendments reflect those discussions.

Thank you.

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

MR. DICKSON: Thanks very much, Madam Speaker. With respect to Bill 10, the Land Titles Amendment Act, I've identified four significant changes. Three of the four I think are helpful, remedial, and certainly warrant support. Those four, so we're clear, include permitting registrational plans of subdivision in digital format. I said before that I didn't see myself as a Luddite and my caucus isn't made up of Luddites. We're interested in being able to take advantage of technology to ensure it works for Albertans.

The second proposal was the provision for establishing criteria for searches by regulation. There's nothing the matter with that except for the concern we always have about the way regulations are made in Alberta, which isn't unique to Bill 10; that's about the bigger process.

I may come back and develop some of these arguments a little further, another one being that lands being subject to or benefiting from a registered instrument should have titles under the act. Once again, the whole virtue of our land titles system has been the mirror principle, the notion that somebody can look at a land titles search and without having to go back and doing a long historical, you can see exactly what the status of the title is, what the charges and what the encumbrances are.

The item that I have some difficulty with is the abolition of the equitable mortgage. On the face of it, if you accept that the Torrens system is about the mirror principle, about ensuring that a certificate of indefeasible title is something that anybody can go in and look at to know exactly what the status of the land is, what the charges, what the encumbrances, and what the easements are, then it is anomalous to say that in some circumstances the duplicate certificate of title has been pledged with a banker, credit union, or whatever as security for a loan and that therefore there is a mortgage but it doesn't show up, Madam Speaker, anywhere on the title. So one would say that that's not a very good thing, that that's something that ought to be eliminated.

4:00

Now, the problem is that with eliminating it in the fashion proposed, you create something of a problem. All the western Canadian provinces use the Torrens land title system, and we're not the first province to recognize that equitable mortgages and having these loose duplicate certificates of title floating around create some problems. Saskatchewan went through this as well, and Manitoba, British Columbia. The problem is that when these other jurisdictions decided to eliminate the duplicate certificate of title and the whole notion of equitable mortgages, there were very elaborate provisions to ensure that nobody got caught out in the cold, that nobody was at risk because of the transition period. Now what we're doing in this province is we're sort of marching in, and if members look at section 44, July 1, 2000, is the date when these provisions come into force. The provisions I'm referring to, of course, are the ones that deal with the duplicate certificate of title and I think appear mainly in that group between sections 17 to 40. Those provisions come in on July 1, 2000.

So here's the problem we've got. If I'm operating a business – or say I'm not even operating a business and the Minister of Justice comes to me and wants to borrow some money for a new direct marketing effort. What I'd do in this hypothesis – and it is clearly a hypothesis – is that I'd want some security for that, and maybe I'd persuade the Minister of Justice to give me his duplicate certificate of title. So he gets that at the land titles office, or maybe he has it in his safety deposit box. He gives me that title, and that's my security. If he doesn't pay back in accordance with the terms of the loan, then I can foreclose on the equitable mortgage, and there are processes and rules of court that allow that to happen.

Effectively, though, I've given money to that person in good faith; I've taken some security back. Now what's happening is that my security is about to be extinguished on – what did I say? – July 1, 2000. That is not far enough away because we've seen so often – we see it now with the limitations act. You get a lot of Albertans who are only now starting to be aware that there's a significant change in the law. I think whenever you expropriate interest, whenever you extinguish interest, you have to allow a really substantial period of time.

You know, this bill is introduced by a government caucus that supported things like a property bill of rights, things like special rights in terms of not losing property without expropriation, yet what is happening in this bill, Bill 10, is a form of expropriation. Expropriation can serve legitimate public purposes and public interests, but you can't expropriate without adequate protection to the individual property owner or the individual lender. That's what's at risk in Bill 10, and frankly I don't understand, Madam Speaker, why the government didn't look at some of the provisions made, for example, in Saskatchewan, some of the grandfathering provisions that look to me to be far more generous than what's proposed in Bill 10.

The reality is that there are not an awful lot of equitable mortgages. I wouldn't hazard a guess, but I suspect probably hundreds, not tens of thousands. Nonetheless, it is an interest that people have in land, and I think members of my caucus have a real concern that government can't go along and extinguish those rights, snuff out those rights, without an awful lot of notice to people and without some safeguards around that, some adequate, if it's appropriate, grandfathering.

Now, I'd like to know, because I didn't hear – I heard the Member for St. Albert speak in moving second reading of the bill. I listened carefully, and I didn't hear her address why we're not providing the same kind of notice to anybody who is involved in an equitable mortgage situation. There seems to be a lot of concern about the potential for fraud, because it's always been the case in Alberta that if you didn't have your duplicate certificate of title, you could take a statutory declaration if you'd lost it. Now, I remember, when I was practising law, seeing that done. It didn't happen very often, but it wasn't absolutely rare and unusual either. If there is some evidence that this has been widely abused in the past, this notion of somebody swearing a statutory declaration saying, "I lost my DCT; therefore I need a new one," I'd like the sponsoring member or some other member to give that sort of information to us, because that seems to animate a lot of the concern with extinguishing this.

You know, Madam Speaker, I spent a good part of the weekend at the health summit, and I heard a lot of people, both laypeople and professionals, talking about evidence based decision-making. You know, evidence based decision-making isn't perhaps a bad process to use when we're deciding what laws should be passed in this province. So I think part of the evidence that any member would want here would be: let's have some particulars in terms of just how big a problem it is with fraudulent statutory declarations sworn to support the issuance of a new DCT. Lord knows my memory is pretty porous, but I don't ever remember hearing about people being convicted of perjury for swearing false statutory declarations in order to get a new DCT. It certainly could happen, but in my experience as a lawyer I don't remember this being an area of huge abuse. But that's very narrow experience, and that may be a bigger issue provincially, so I'd like to hear it if that were the case.

This business of expropriation, in this case without any direct notice, is such a serious shortcoming in the bill that it would cause me to consider very carefully whether I could support the bill. That's a shame, because I think the other three reforms I've

identified would be helpful and are positive. I would think that at minimum there would have to be some major amendment of Bill 10 at the committee stage to deal with the expropriation issue and to build some safeguards. I would be looking for support from all members of the Assembly, because I've been in here almost seven years and I've heard a lot of wonderful speeches about the sanctity of property and about the importance of owning property and that property may be a financial interest. To square with all of the rhetoric I've heard over the seven years in this Chamber from the government benches, I'd expect a lot of that concern would be manifest here in the extinguishment of equitable mortgages. So I would hope that other members would be as concerned as I am, would be also pressing the sponsor of this bill and the Minister of Justice and I guess the Minister of Municipal Affairs to ensure that appropriate changes are made.

4:10

I think in some parts of the province and I think in the city of Calgary most people don't have their duplicate certificate of title. It's left with the land titles office; they don't normally have it in their safety deposit box. But it's been my experience and I know from talking to others that in a lot of smaller communities a lot of people do have their duplicate certificate of title, and this is something they like to keep in their safety deposit box. If we're going to extinguish that, these people, wherever they live in Alberta, should know that as well as the disenfranchised lenders.

I wanted to come back and speak about the regulation-making power because that continues to be a concern. The regulation-making power is largely found at section 41 on page 13. What we've got there is that one's attention is immediately drawn that unlike Bill 7 that we saw earlier with the very dangerous provision in terms of regulation-making power, here the sponsor of Bill 10 has drafted a regulation-making power that's much, much narrower. It's I think quite defensible to want these things to be done by way of regulation. I think those are appropriate things to be done by way of regulation.

I might say, Madam Speaker, that if I contrast Bill 7 with Bill 10, there's nothing in here that would presume to give the Minister of Municipal Affairs or the registrar of the land titles system the power to make whatever other regulations they'd like to implement the act. So we have yet another tutor who might be able to volunteer her services to the draftspeople in the Department of Health and show them how to draft an appropriately limited regulations section. These are two good examples this afternoon and one very bad example. This is sort of two steps forward and one giant step backward we've seen this afternoon in trying to restore some control by legislators over subordinate lawmaking.

Now, having said all of those nice things about what we find in section 41 and congratulating the Member for St. Albert for not getting carried away and not abusing the regulation-making powers we've seen in Bill 7, what we have here also is the concern that these regulations become important. The regulations are going to be developed largely in secret. The regulations will become law once they're published in the *Alberta Gazette*, once they're proclaimed, and that's the first time that many elected members in this Assembly would see those. Then people are scrambling to deal with regulations that are inappropriate or whatever.

You know, I'm going to extend an invitation to the Member for St. Albert that I don't do very often. But I think this may be a bill where this member could say that she would like to make a commitment that the regulations to be brought in under the Land Titles Act will be reviewed by the standing committee with that huge government majority, the Standing Committee on Law and Regulations.

The government still maintains complete control. They have this absolutely overwhelming majority on the Standing Committee on Law and Regulations.

MR. BOUTILIER: The people of Alberta chose.

MR. DICKSON: Well, the people of Alberta chose all of us in this Assembly, Member for Fort McMurray, not just 64 members.

Madam Speaker, I think it's instructive that one member's comments about abuse of subordinate legislation would provoke such a spirited response from members on the government side. Why is that? I asked myself: why would people react in such a defensive fashion when somebody suggests that subordinate lawmaking should be reviewed by an all-party committee?

I see my old friend from Peace River over here, and I want to make it known now that as hard as he's working on his red tape committee, the regulation task force or deregulation task force or whatever – I keep forgetting the name of that task force; I'm not even sure it still exists – and as diligent as he is in discharging that responsibility, we still have some problems because we don't get notice of those meetings. There are members of this Assembly who apparently aren't stakeholders, and what's more, the citizens of the province of Alberta are not seen as stakeholders. If they were, then those regulations would be dealt with through the Standing Committee on Law and Regulations.

You know, I can't swear to this, but I think the Member for St. Albert was in the Chamber right after the throne speech when the lists came out. We all waited because it's always very exciting to see what committees we're going to be on. I always hope I'm going to be on the Committee on Law and Regulations, and it's very exciting. When I hear Standing Committee on Law and Regulations and I hear Calgary-Buffalo read out in association with that committee, as Chief Dan George used to say, my heart soars like an eagle.

Anyway, I wish the Member for St. Albert would do something about the regulations section, section 41. She's got the first half of the problem solved. She's learned a lesson that we're still trying to teach the Minister of Health, which is that you can't try and wedge all of the authority in under the regulation-making part.

Thanks very much, Madam Speaker.

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

MS OLSEN: Thank you, Madam Speaker. It's always really tough to follow the Member for Calgary-Buffalo, because he makes some very, very interesting comments.

MR. DAY: Tell the truth, Sue.

MS OLSEN: It is tough to follow him, hon. Treasurer.

I'd like to focus right on it, Madam Speaker. I'm getting some direction from her that she would like me to do that. Absolutely.

I understand that the issues brought up in the Land Titles Amendment Act relate primarily to the duplicate certificate issue. I will as well speak to the regulation concerns, but I'd just like to speak about the duplicate certificates of title. I think it's important to put it into a bit of a historical context. There was a time, Madam Speaker, when individuals held their own title documents and presented them to purchasers for examination on transfer. Eventually someone caught up with the idea of having a public office where all title documents could be registered, stored, and produced for examination. An Australian by the name of Torrens went one better. Not only would the public office register and store the deeds in property

registers; it would also guarantee title to current owners and to prospective purchasers.

Alberta has a land title system based on this model. The vast majority of titles in the province are guaranteed by the government. There some titles, however, that are not, and those pertain to mineral titles. That was due to errors in the land titles office long before I was born. However, an owner can obtain a duplicate certificate of title. This is merely, Madam Speaker, a piece of paper, and it looks like an ordinary title search. It has the words "duplicate certificate" on it. In the old days the duplicate certificates were those really nice parchment copies, and those are kind of neat. In fact, I'd like to look one of those up for my old house.

4:20

However, once an owner applies for and receives a duplicate certificate of title, it must be produced to the land titles office each time certain changes are made to the title, and it must also be produced for cancellation on the sale of a property. It can be viewed, I suppose, as a bit of a throwback to the first system of land title documentation, where people held their own deeds, in this sense. However, DCTs do not exist in Ontario, which is just an analogy, and in many other places. They were issued only in very restrictive circumstances in Saskatchewan on or after November 1, 1992. They do exist in British Columbia and Manitoba. So if you look at other provinces, there's a variation in what's occurring, and I think Alberta is trying to fall in line with, of course, Ontario.

Unfortunately, people do misplace or destroy their duplicate certificates of title. Executors can't find them. As a result, the Land Titles Act permits the individuals to make a statutory declaration attesting to the DCT loss or destruction. I think there are members in this Assembly who may in fact, as a notary public or commissioner for oaths, have had to sign some of these or a stat dec in relation to this.

Saskatchewan follows a procedure very similar to Alberta's for lost DCTs. Manitoba requires a dispensing order which must be signed by all persons having a registered interest in the land. B.C. is the most stringent jurisdiction, where if a duplicate certificate of title is lost, one has to swear an affidavit that it is lost and take out an advertisement in the newspaper, the *British Columbia Gazette*, or both. That cost is incurred, of course, by that party. The reissued DCT is referred to as a provisional document. It refers to the fact that it has been reissued and references the affidavit attesting to the loss of the original DCT. It's interesting to note that a DCT in British Columbia is called an indefeasible certificate of title.

The DCT can be pledged to create an equitable mortgage on the land, and that's the issue that the hon. Member for Calgary-*Buffalo* talked to. This is done by leaving a copy of that DCT with the lender. This practice persisted in Alberta into the '70s. It is not widely used at this stage. A prudent financial institution registers a caveat to protect their equitable mortgages. However, some lenders may continue to hold these documents. A member of the registry committee of the Law Society has stated that some of his colleagues were concerned that DCTs were still being taken as securities in the 1990s. That's interesting to note, that there are some concerns that they're even used as a document to secure a mortgage.

DCTs increase transaction costs by forcing owners to produce them or swear they have lost or misplaced them. If an individual is so dishonest as to commit a fraud, he or she can swear that they have lost or misplaced a DCT in furtherance to the fraud. That's kind of interesting, Madam Speaker, because anybody then can go into any MLA's office, if you will, and have them sign a document and witness a document as a notary public. In fact they could, if you had somebody that unscrupulous, be then involved in furthering the fraud

as an MLA handling the duty of a commissioner for oaths. So I think that's something that we have to consider as well.

There do seem to be a few reasons, Madam Speaker, to preserve the DCTs. However, I'm concerned that the method which the government has chosen to phase out DCTs may deprive certain lenders of rights against debtors. A lender holding a DCT on June 30, 2000, will see his security disappear the next day. Depending on the terms of the loan agreement, that lender may not be able to obtain further security from the borrower. So I think that's something we need to keep in mind. One of the concerns, then, is that the proclamation date is too soon, and that may disenfranchise some of those lenders.

Saskatchewan's legislation addresses this problem, the problem of outstanding security interests. Section 48.3 of the Saskatchewan Land Titles Act says that exceptional arrangements are defined as when a DCT "is held by a person other than the registered owner or a duly authorized agent for the registered owner." So it's a grandfathering provision of the equitable mortgage which existed on the date of their proclamation.

There may in fact be some objection to the abolition of the DCTs in rural areas, where people may feel good about having that particular document to confirm their ownership of land. So I think that's something, and I'm just wondering if at some point we can hear from the hon. member from *Spruce Grove* as to if in fact she has consulted with those people in the urban area and . . .

MR. SAPERS: She's from St. Albert.

MS OLSEN: Pardon me. My goodness, the hon. member took offence to that, Madam Speaker. She is from St. Albert; the hon. Member for St. Albert, not *Spruce Grove-Sturgeon-St. Albert*. How could I confuse that? It's very amazing. These are two totally different people. There are no characteristics in common; trust me.

I do like the notion, Madam Speaker, of moving forward with the survey plans and looking at digital format. I think that's just another attempt at moving things along in the technology world, and that's great.

I do have concerns, however, about the regulation-making power. The hon. Member for *Calgary-*Buffalo** has spoken to this issue two or three times today on two or three different bills, and I have to support him. The amendment allows the Lieutenant Governor in Council to prescribe "conditions, criteria or qualifications that are to be fulfilled in order for a search of information to be furnished under section 18." This is important because now we're talking about some freedom of information issues and we're talking about people's privacy and need to know when a search is done. The present section allows public access to the land titles register "on request and payment" of a fee. I'm just wondering why the government now feels that it's necessary to impose "conditions, criteria or qualifications" on that right by regulation only.

I'm wondering if this is one of the first steps to actually closing the land titles register to the general public, so that's an issue. [interjection] Well, I know that the hon. Member for St. Albert has a really odd look on her face right now, and I'm just wondering if she thinks that's an offensive comment. You may think that's an offensive comment, hon. member, but it's something that needs to be answered. Certainly I think we need to address that.

4:30

The present wording of section 18 at this point states that "the Registrar shall, on request and payment of the prescribed fee, furnish a search of the information contained in the register." This wording is from 1988, Madam Speaker. There are certain searches which in

fact should probably be restricted. Until recently you could only search a property by its legal description; today one can also search by name. When a person can no longer act for themselves by reason of illness or death, the trustee or executor can and should be able to use the name search feature.

In cases – and this is particularly important in matrimonial cases – where a spouse will not make full financial disclosure, pay maintenance or alimony, the name search might locate assets. That has been a huge problem in the maintenance enforcement legislation for a long time, the whole discussion of one spouse being able to hide assets from another spouse. So I think that's an interesting area for searches. Perhaps, Madam Speaker, any judgment creditor should be able to conduct a name search as well. These users can be categorized as individuals seeking access in pursuit of a legal remedy.

However, what about individuals who fall short of seeking a legal remedy? Private investigators, skip tracers, credit investigators: should they have access? Should they be able to go in and do a search? I don't think so. Should anyone off the street be able to go in and do a name search? I don't think so. I think, Madam Speaker, what we need to have is this particular issue addressed in legislation so that we're not opening the door to any Tom, Dick, or Harry or Mary Jane or Laurie going in and just looking up somebody's assets. I think the whole issue of privacy protection is speaking out loud in this particular section.

Those, Madam Speaker, are my observations on this particular bill, and I guess I'm going to adjourn debate on Bill 10.

Thank you.

THE ACTING SPEAKER: Having heard the motion by the hon. Member for Edmonton-Norwood, does the Assembly agree with the motion?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

head: Committee of Supply

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: I'd like to call the Committee of Supply to order, please.

head: Supplementary Estimates 1998-1999
Lottery Fund, No. 2

THE DEPUTY CHAIRMAN: I would call on the Minister of Community Development.

MRS. McCLELLAN: Thank you, Madam Chairman. I'm pleased to speak to this item through the lottery fund. We did have a discussion about this last week.

[Mr. Tannas in the chair]

Just to refresh everyone's memory, the \$1 million that is identified in the lottery fund is \$1 million for the support of the World Championships in Athletics, or as more of us are familiar with, the world track and field championships, which will be held in Edmonton from August 3 to 12, 2001. All members of this Assembly I

know were elated and overjoyed when Edmonton's hard-fought bid was successful.

They have requested \$1 million of the \$40 million that has been committed to their support to assist in covering some start-up costs, including their office setup, staff costs, and feasibility studies for their project sites, particularly their capital projects.

I don't have to remind everyone that this international event is going to attract thousands of people, spectators from around the world, as well as the coverage there will be through television and other mediums. This is the third largest event that is held, following only the Olympics in sporting events. I will also remind all members that it is expected that a \$386 million spin-off in an economic way will accrue to our province, of course a great deal of that to the city of Edmonton, so I am sure that all members support this expenditure.

Colleagues note that it will require a large number of volunteers. We know that Edmonton is fully capable of providing those volunteers after hosting the most successful and the largest volunteer conference that's ever been held in the world just this last August. As I've indicated to many people, the notes and letters that I get from people from other countries who visited here talk about how wonderful the conference was, but most warmly they remember the wonderful volunteers who hosted them. So I am confident that Edmonton will do a fine job of hosting in 2001.

I am confident that each member in this Assembly supports this allocation of \$1 million from the lottery fund to the committee.

Thank you.

THE CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. I am hugely impressed by the effort that the world championships volunteers went through to successfully mount a bid to bring the championships to my hometown, the city of Edmonton. I am very, very grateful for the continuing support that the province is providing for the championships.

This is a good-news story. It's not just the millions of dollars of economic activity that will come about as a result of the games; this is just another page or another chapter in Edmonton's book of demonstrating western Canadian and Alberta-made and Edmonton born and bred hospitality to the world, another opportunity to showcase that.

The challenge here in this debate on this lottery fund estimate has very little to do with the request to transfer revenue from the lottery fund to the Department of Community Development for the purposes of providing a million dollars to the games or \$800,000 to the community lottery boards. The challenge really is one of process, and I, at some risk I think, will make the following observation. The risk is simply this. I don't want my comments to be taken in any way as a negative statement about the games or about the community lottery boards. In fact, I think I'm on record last week, in questioning the minister and in making my remarks, stating that I was happy to see the assistance given to the community lottery boards, that I'm thrilled that the games are coming and that the start-up costs will be covered.

4:40

Our Standing Orders, Mr. Chairman, allow for a couple of days of lottery fund estimates. Now, there is some contradiction in the Standing Orders. I shouldn't say "contradiction." There's a lack of clarity in the Standing Orders about whether the lottery fund supplementary supply estimates would also be subject to two days or not. There is an agreement between House leaders that lottery fund supplementary supply estimates, 1999, will be subject to one

day, and this is the day. So we have one day of debate. Now, in this case we could probably get a number of comments in the record, perhaps even some con statements about the funding request. It is possible. I'm just saying that somewhere in the realm of possibilities somebody might want to say something that wouldn't be supportive. The point is that this is the only opportunity to do it.

Now, the minister rose to make her comments at 4:35 p.m. Standing Orders require that we adjourn no later than 5:30 p.m. This means that at most we'll have 55 minutes to discuss or debate the lottery fund estimates. No? I see the table is saying no. My understanding is that they're not coming back tonight. [interjection] No, no. Sorry; I don't mean that . . .

THE CHAIRMAN: If you're addressing the chair, we'll answer. If you're just rhetorical, then okay.

MR. SAPERS: Well, no. Hopefully it's never just mere rhetoric, Mr. Chairman.

My point is this. We've got 55 minutes this afternoon available to us to discuss lottery fund estimates.

MRS. McCLELLAN: One item.

MR. SAPERS: One item. The minister is right. She points out that it's one item, but it works out, according to my calculation, to \$32,727.27 a minute, which is a pretty expensive 55 minutes' worth of talk. Again, my comments aren't about the merits of this particular vote; my comments are about the process.

I guess I felt very, very rushed last week on Thursday afternoon as we ran through all of the departments, requesting over \$100 million worth of funding in supplementary supply. We didn't even get to all of the departmental requests by way of debate, but we were forced by the clock to vote for it. I'm just concerned that because we're limited to a single day of debate on the lottery fund estimate, we may not have an opportunity. Now, in this case the request is a request that will probably receive pretty ready acceptance by the Assembly, but that wouldn't always be the case, and the process yet may be seen as one that we could adopt every time.

So my preference, to the minister and to her colleagues, is that we try to build in as much time as we can for actual debate but that we also try to do some sharing of information beforehand. Supplementary supply requests don't require the same kind of secrecy as the provincial budget. There are other jurisdictions where supplementary supply votes are actually results from all-party discussions. Now, I'm not going to be naive and suggest that that would happen in Alberta, but certainly members of the opposition could be brought into discussion at a much earlier stage when it comes to supplementary supply so that there are no surprises and so that all legitimate questions can be received and, more importantly, can be answered. We are still receiving – I think just last week we received some written responses to questions put in supplementary supply last year, or actually an earlier part of this budget cycle but last calendar year.

So, Mr. Chairman, this is not just an abstract request. We are asked to make current votes on these expenditures, and I don't think it's just pocket change when you're talking about \$100 million. I like to take my responsibility as seriously as I can, and the best way I can do that is with information. So I'm just simply asking members of Executive Council to consider ways in which they can maximize the ability to request and exchange information on supplementary supply votes so that we're not in the uncomfortable position of having literally mere minutes sometimes passing as a day's worth of debate and really forcing the issue. I don't think that's very democratic, I don't think that's very accountable, and I don't think my constituents would be all that impressed.

Just to clarify before I take my seat: happy to support the minister's request on supplementary supply; do have those concerns with the process. [Two members rose]

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

MS BLAKEMAN: Well, it's always nice to see healthy competition to speak.

Thank you very much, Mr. Chairman. I have already spoken to this item in the previous debate on the estimates as compared to the lottery fund, but there were a few points that I'd like to raise briefly: one, I think the recognition that in Alberta we have a long and very proud history of being able to produce very large events with essentially a volunteer corps. As the minister well knows, having also just passed \$800,000 to support the volunteer community lottery boards, volunteers are not free. There is a need in some cases to provide food or refreshments. Perhaps there's a need for a token or a pin or a small gift of appreciation to be presented to people for their many hours.

Managing volunteers is not free. If you do it well, you also have a volunteer manager who can make sure that people are scheduled appropriately, that they're trained appropriately, that they're recruited into a position that would suit their abilities and their experiences. There is a professional association of volunteer managers. So it's entirely appropriate, in my opinion, that this money go forward in support of the 2001 track and field games.

I've heard and I'm wondering if there is going to be a cultural aspect to these games. I'd be very interested in hearing from the minister or from someone else that's connected with the games as to whether there will be a cultural aspect and whether there would be funding available for that or how that's going to be organized. I think it is a wonderful opportunity, when we have people traveling here from other countries and other parts of Canada, to not only be able to celebrate our athletes but also to celebrate our culture; that is, our stories. There are many ways for us to tell those: through theatre, dance, literature, et cetera.

However, a million dollars is a lot of money, and I'm wondering how the accountability for this money comes back into this Chamber, if it would be clearly laid out as a separate page perhaps in the Community Development public accounts. It is a lot of money, and I think we want to be able to react quickly and transparently to people who are questioning that amount. I encourage the minister in whatever way possible to give a reckoning of how that money is spent: X amount on rent and equipment rental and photocopy blocks and staff. I think being instantly transparent and forthcoming with information will help to quell a lot of concerns that people may have.

4:50

I know I had some pretty swift reaction in my constituency office when there was some talk of the federal government giving grants to professional sports organizations. People went wild. The phones lit up, which doesn't happen very often. This is a completely different endeavour, where we are dealing with amateur athletes and a volunteer corps providing the services, but that was an eye-opener for me, and I thought: okay; we always want to be ready to account very quickly for how the money was spent. I think in light also of the scandal that's been around the Olympics, we want to be able to account for the money quickly so that there's no question raised about the integrity of these games. I don't think there's any reason to be concerned about this, but I think we've had some warning bells or warning lights go off because of what we've seen before in sports games in other areas, not so much in amateur perhaps but in other games.

Once again, I'm very proud . . . [interjection]

Chairman's Ruling Decorum

THE CHAIRMAN: Hon. members, I wonder if we could revert to the usual, where only one person stands and talks out loud at a time. We seemed to be getting quite a little hubbub there for a while.

Sorry, hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Chairman. It's really just their enthusiasm for the project.

Debate Continued

MS BLAKEMAN: I am very proud as an Edmonton MLA to be a member of the host city for these games. I'm really looking forward to them myself. I know that the positive spin-off from some of the other games that have been hosted in this city, the Universiade and the Commonwealth for instance – that was a great training ground for a number of my colleagues in public administration. People who volunteered or were paid learned with those events a tremendous amount about staging large public events, the organization of volunteers, opening ceremonies. All kinds of opportunities were available for people there. I know the positive personnel spin-offs that came out of that. Plus the volunteers that were able to be involved were really excited. I mean, they were proud to be able to wear that jacket that some of them got from I think it was the Universiade. People put in a tremendous number of hours.

So I think it's a great opportunity for our city and for our province, and I'm looking forward to it. I understand the need for the money, and I am supportive of the minister's request for the money. With those words of encouragement – and thank you all for your enthusiasm as we talk about this – I will take my seat.

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

MS OLSEN: Thank you, Mr. Chairman. I have a couple of comments to make. Actually, I'd like to congratulate the minister on all the hard work for bringing the games here. In fact, a lot of that activity will occur in my constituency, so that is where I want to direct my comments. You see, Edmonton-Norwood runs on the north side of 112th Avenue, 111th Avenue. On the south side of that avenue is Commonwealth Stadium. So it's not legally in my constituency, but there is a huge, huge impact. I want my colleagues to feel vindicated. [interjection] Yeah, well, the parking police will be out there, hon. members.

My concern right now is about the community's ability to revitalize itself, and I think these games are going to be the jumping-off point for community groups such as the community action project and the business revitalization zone. I'd just like for the minister to know that the BRZ, the business revitalization association, is currently working on a project that will focus on sports and athletics along 118th Avenue. Mr. Chairman . . .

THE CHAIRMAN: Hon. members.

MS OLSEN: Sorry, Mr. Chairman.

THE CHAIRMAN: So am I.

MS OLSEN: It's a little tough talking over all our colleagues here.

However, the business revitalization project through a business tax levy collects money for street enhancements. One of the things that this project is looking at in the revitalization of 118th Avenue is a streetscape. That streetscape will reflect athletics. We have

George's Cycle, which is a well-known local cycling shop. We have the second store from United Cycle, called Alberta Cycle, on 118th Avenue, and we've got some other neat initiatives. Those folks are cornerstone businesses, destination businesses on 118th Avenue. So we think this notion of sports will be very beneficial.

We're hoping, Mr. Chairman, that in fact the spin-off of \$386 million brings some benefit to our community. I'm certainly hoping that in that respect I'll be sending a number of letters to the minister in relation to the Mainstreet project. As a board member of the revitalization, they're interested in that. We don't know whether or not that project even exists any longer for rehabs in urban centres, so we need to have some clarification there.

I'm glad to see this million dollars going into the pot, but I'd like to see some of that \$386 million, Mr. Chairman, come to our community, where poverty, violence, and any number of other social ills exist.

Thank you.

THE CHAIRMAN: The hon. Minister of Community Development.

MRS. McCLELLAN: There's one question by the member for Edmonton-Centre I would like to give an answer to. It is understood that the games hosting committee will provide an audited financial statement each year.

Thank you, Mr. Chairman.

THE CHAIRMAN: Are you ready for the vote? We have considered the 1998-99 supplementary estimates, No. 2, for the lottery fund under the Economic Development department.

Agreed to:

Economic Development \$1,000,000

THE CHAIRMAN: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. HAVELOCK: I guess I now don't need to move that the vote be reported when the committee rises and reports; do I? Do I need to do that still? It's been a long time.

THE CHAIRMAN: Move that we rise and report? Yes.

MR. HAVELOCK: I asked whether you want me to move that the vote be reported when the committee rises and reports, not move that the committee now do rise and report.

THE CHAIRMAN: Okay. The first part of your question was redundant. We just had the vote: shall the vote be reported? Now you're asking the committee to rise and report. That's what the chair endeavoured to say.

MR. HAVELOCK: Mr. Chairman, that's why I asked the question, because you know all and see all, although I'm not so sure you hear all.

Mr. Chairman, I move that the committee do now rise and report.

THE CHAIRMAN: The hon. Deputy Government House Leader has moved in his way that the Committee of Supply now rise and report. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

5:00

[The Deputy Speaker in the chair]

MR. SHARIFF: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions of the supplementary supply, No. 2, lottery fund for the fiscal year ending March 31, 1999, reports the approval of the following estimates, and requests leave to sit again.

Supplementary supply, No. 2, lottery fund payments: 2001 World Championship in Athletics, \$1 million.

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

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I request unanimous consent of the Assembly to revert to Introduction of Bills to permit the tabling of the supplementary appropriation bill.

THE DEPUTY SPEAKER: Is there unanimous consent for the Assembly to revert to Introduction of Bills?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

head: Introduction of Bills

(*reversion*)

THE DEPUTY SPEAKER: The hon. Provincial Treasurer.

Bill 13

Appropriation (Supplementary Supply) Act, 1999

MR. DAY: Thank you, Mr. Speaker. I beg leave to introduce Bill 13, the Appropriation (Supplementary Supply) Act, 1999. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

This set of estimates is regarding both the general revenue fund and the lottery fund for the '98-99 fiscal year. The main items being addressed in these estimates are in reference to Health, Advanced Education, Family and Social Services, and Agriculture, and of course these figures are fully accounted for in the third-quarter update, which I tabled on February 24.

[Leave granted; Bill 13 read a first time]

head: Consideration of His Honour
the Lieutenant Governor's Speech

Mrs. Fritz moved:

That an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable H.A. "Bud" Olson, Lieutenant Governor of the province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank you, Your Honour, for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate February 24: Mr. Ducharme]

MS LEIBOVICI: I appreciate the opportunity to add my thoughts on the Speech from the Throne that we heard on February 16 of this year. I must admit that when I looked at the throne speech on that particular day, I was surprised at the limited amount of pages that were in this particular throne speech. To my memory this is probably one of the shortest ones that we have seen in my time in the Legislative Assembly.

When I looked at the throne speech, I was looking for signs of hope, for signs of vision, for some indication that the government really understood what the direction of this province should be over the next 10 to 15 years and what is needed to get there. Unfortunately, what I saw was not that. I saw a lack of compassion, I saw a lack of understanding, and I saw a lack of caring with regards to the needs and wishes, the hopes of Albertans across this province.

I also saw a lack of a wish to address one key issue that has been mentioned to me a number of times in my travels across this province and in my own constituency, and that is the answer to the question: was it all worth it? Were the cuts, were the layoffs, were the changes with regards to the divesting of the public interest in major institutions, such as the ALCB, the issues with computing, resources – there's a whole host of areas. Was it worth it? Unfortunately that question has not been addressed by this government.

What we are seeing is that people are starting to answer that themselves by saying: no, it wasn't worth it; no, at the end of the day we don't have a better health care system; we don't have a better system of social service delivery; we don't have a better education system; we don't have a better method of regulating when it comes to environmental issues. In fact, what we have is just the opposite.

Now, when we look at one of the key issues in this province, which is health, what the government tends to focus in on is health care. They don't see the broader parameters of what it means to be healthy. I did go back, as the Premier indicated, to The Rainbow Report, and I listened very closely to what was being said at the health summit this weekend with regards to the situation in health care in this province. What I found and what I heard was very interesting.

When you look at one of the key vision statements of The Rainbow Report, what it says is that we should be looking at "healthy Albertans living in a healthy Alberta." It was interesting when I looked at the roundtable report and some of the initial reports in the first year or so of the restructuring that we saw within this province. They tended to use those same words. They talked about healthy Albertans living in a healthy Alberta. When we look at where we are right now, we've moved very far from that concept.

We've moved very far from a concept that is a holistic concept of how we look at health within the province of Alberta, how we look at integrating the notions of not just the physical but "the mental, spiritual, social, ecological, and economic," to list from The Rainbow Report. If we're looking at the Provincial Health Council of Alberta's statements, that says that what needs to be looked at in terms of determinants of the health system are components such as employment, income, housing, and a healthy environment.

So when we look at that particular system and juxtapose it versus what the government looks at, what we see is that the government only looks at one item. The government's thinking is very linear,

and in the throne speech you can see that. It has fiscal responsibility as a headline. It has health as a headline and a priority. It has education as a headline and a priority. It has the economy as a headline and a priority and the environment as a headline and a priority. Nowhere does it integrate those headlines and priorities to have an overall whole picture of where this province needs to be in the future. Nowhere is that vision put forward at all.

In fact when I look at the way the government looks at dealing with issues – and if I just take some examples, if I take a look at environment and social areas, mental and economic areas – what we've seen in the area of environment is that within a very short period of time there has been deregulation within the sector. There have been increasing incidences of environmental impacts on the health of individuals in different areas across the province.

5:10

We only have to look at northern Alberta around the Bonnyville/Cold Lake area, where there are increasing reports of arsenic in well water, and where well water has increasing amounts of silt. The well water levels have dropped dramatically even though there are new wells being drilled all the time. We have in the southern part of the province herbicide content in rainwater above the aquatic standards, and in fact it is presenting a danger not only to the environment and to the livestock but also to individuals. We know that there are air quality concerns. So if we can't rely on our water and we can't rely on our air, how in fact can we move towards a healthy Alberta?

When we look at social indicators – and these are all health care determinants that are talked about when there's a true understanding of what is required in order to shape our province towards a particular vision. When you look at the social indicators, we have an increasing number of children in poverty; we have homeless individuals across this province and inadequate housing to be able to meet the needs of the homeless; we have an increasing number of single-parent families where children are living below the poverty line.

If I just may refer to the speech that was tabled earlier this afternoon from Dr. Noseworthy at the recent health summit, he has said it a whole lot better than I will ever be able to say it.

The health consequences of this gap in wealth are significant and worsening. The equation is simple: a gap in wealth = a gap in health. Correspondingly, the greater we allow socioeconomic disparity to overtake our communities . . . the greater the potential for ill-health of the disadvantaged, and the greater the requirement for health care utilization and expenditure . . . We have to find mechanisms of buffering poverty and creating resiliency to it, if indeed it cannot be prevented at root source. For instance, following marriage disruptions, we have to find mechanisms to maintain the financial responsibility of partners who choose to abandon the other parent and their children, in order to ensure that children's lives are not permeated by poverty. We know that 1 in 5 children in Alberta are growing up below the median income cut-off line . . .

We know that the health of populations, as they age, is dependent on the health that they experience as developing children, and the coping capacities that they gain in the first and formative months of life. This is not leftist or social welfare philosophy, it is common sense . . .

It is illogical to expect the health care system to pay for the causes or cures of social inequality. Unattended, however, eventually the health care system does pay for the consequences.

The reality is that the government is so fixated on the structure of a regional health authority, of the physical building of a hospital that they have not moved beyond that fixtureless structure to look at the real cultural and governance system issues that are required to actually make an impact in terms of ensuring that that vision of healthy Albertans in a healthy Alberta is met.

When we look at another issue in terms of mental health, we have the highest suicides in Canada, in this province, and an astonishing figure is that more Albertans die of suicide than of motor vehicle accidents and collisions. In terms of the economic indicators of health, as I indicated earlier, the growing gap between rich and poor in fact adversely affects the health care of citizens within this province.

There are many other concerns that have not been dealt with within the throne speech with regards to aboriginal concerns, concerns of individuals with disabilities, the fact that our special needs within the health care system have not been met as well. So what we see is a system that is on the brink of collapse in a sense. We have heard over and over again that the health care system is in crisis. In fact, unless there are some fundamental changes made to the issue of and the recognition of the requirement for rethinking health care versus health in this province, this system will not improve and will, in fact, tend to provide care that is not what Albertans are looking for or need.

What the movement should be with regards to the throne speech, I would have thought, would have been some future considerations, would have been to look at what our choices are in the future, and then to move Alberta towards those choices. Almost by neglect have we in this province moved to a system where private health care is increasing, where private schools are increasing, where there is a lack of environmental control, where in fact the needs of individuals within this province are not being met at various levels.

So if we're looking at what kind of choices we want for the future, we could move back to some of the choices that were outlined in The Rainbow Report. Some of the choices. One, "maintaining the status quo with minimal changes in our socio-economic future." Two, to have a direction of

a highly technological world in which the development and application of technology are aimed towards a more centralized control of information, of our lives, and of our health care system. Our values would centre on competition, consumption, technical expertise and specialization.

Three, a direction that

would mean changing our socio-economic system to recognize that sustainable growth is possible and requires balancing co-operation and competition while maintaining a global view. Our values would include the community as the cornerstone of society, education and other forms of learning as key to bringing about sustainable growth, and respect for the differences among us. A network of neighbourhood, regional and provincial groups would take an integrated approach and share responsibilities for the environment, health, social services, and education. Albertans would increase their individual knowledge of health and health care.

A fourth direction

is that of the collapse of western civilization due to a series of natural disasters . . . or continued disregard for the fragility of the environment . . . or global destruction resulting from a political inability to resolve major disputes.

Now, while we cannot predict the future, we as legislators have a responsibility, I believe, to try and determine what that future might be and to try and direct towards that future by the policies we make within this Legislative Assembly.

I know if I were to choose from those four options, the choice I would choose is number three. It's a choice that looks at a more holistic approach to our society, that looks at a more holistic approach to provision of government services so that in fact what you do see down the road is a cost savings, because I know that is a primary concern to this government. But you also see the ability of Alberta to develop into that vision that was had 10 years ago of a healthy Alberta with healthy Albertans within that particular context.

As I indicated, this was not in the throne speech. This was evident

from both the citizens who participated in the health care summit and the stakeholders. They understood this concept. They believed in the concept of having an integrated, multidisciplinary model within health care delivery. They believed in having a model that, in fact, would allow for government departments to talk to each other and to cross boundaries and borders and not to set up artificial borders. They believed that a government with the political will could, in fact, put this into place.

5:20

Unfortunately, I believe what we've seen in this throne speech is not that. What we've seen is almost an abdication of the role of government to provide a vision for its citizens, to work with its citizens to provide that vision. What we seem to have seen in this throne speech is an understanding, as I indicated a little bit earlier, of structure but not an understanding of how those structures interact and what the real changes are that are going to be required to ensure that we move towards that vision of healthy Albertans in a healthy Alberta.

This is not just health care that this government should be talking about. It should be talking about health in the broadest sense that we know that definition, in the broadest sense of the health determinants that the experts across this country and across the world have talked about health.

In addressing the issue of where we as a province want to be in the future, we need to – and I'll take again from Dr. Noseworthy's speech – reconcile the past and shape the future, and that is the role of a government with a vision. That is the role of a government that in fact knows where they're heading and has understood and cares for the citizens that have elected them to this office, an office of privilege in order to enact those wishes.

We know that it can be done. There are incidences throughout the world where governments have started the process. We know that it is not an easy process that will be undertaken. But if I can just close with words from Walter Braul, where he indicates that caring . . . is the central value which will enable us to move into the future and make whatever adjustments are required. With that attitude, we can look forward with confidence to the year 2000 and beyond.

We have lost, Mr. Speaker, many years in the last five or six years with the unconsidered downsizing, the irrational cuts that we have seen in some of the key areas within government. We have lost much time towards that vision, towards moving towards that future. And it will take time to build it back. Unfortunately, unless this government has the political will and the motivation to actually move the agenda forward, to actually look at and consider what participants in many summits and roundtables have told them, we will not see the changes required in this province to ensure that we have the fulfillment of the goal of healthy Albertans in a healthy Alberta.

Thank you. I adjourn the debate.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark has moved that we adjourn debate. All in support of this motion, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no. Carried.

[At 5:24 p.m. the Assembly adjourned to 8 p.m.]