

## Legislative Assembly of Alberta

Title: **Monday, March 6, 2000**

**1:30 p.m.**

Date: 00/03/06

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. As we begin a new week, help us, O Almighty, to also begin with the principle of You as the giver of all things. Amen.

Hon. members, as it is Monday, I would now invite you to remain standing and to join with Mr. Paul Lorieau as he leads us in the singing of our national anthem.

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

Please be seated.

head: Presenting Petitions

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

MS BLAKEMAN: Thank you, Mr. Speaker. I am very pleased to present a petition signed by 604 individuals from Edmonton, Calgary, Leduc, St. Albert, Lethbridge, and Fort Macleod. This is an ACTISEC petition asking “the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.”

Thank you.

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

MR. DICKSON: Thank you very much, Mr. Speaker. I’m pleased to present a petition signed by 1,377 Calgaryans petitioning this Assembly “to urge the government of Alberta to stop promoting private health care and undermining public health care.”

Thank you, Mr. Speaker.

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

MRS. MacBETH: Thank you, Mr. Speaker. I’m pleased to table a petition signed by 644 people from Edmonton and area on Saturday morning at the market at the bus barns. The 644 people who signed want to urge the government “to stop promoting private health care and undermining [our] public health care [system].”

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I’m pleased to table a petition signed by 111 Albertans, many of them from Calgary and area, and they’re all petitioning this Legislative Assembly “to pass a Bill banning private for-profit hospitals in Alberta so that the integrity of the public, universal health care system may be maintained.”

Thank you, Mr. Speaker.

head: Reading and Receiving Petitions

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

MS OLSEN: Thank you, Mr. Speaker. I request that the petition I presented last Thursday be now read back.

THE CLERK:

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

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

MS CARLSON: Thank you, Mr. Speaker. I would ask that the petition I presented last week now be read and received.

THE CLERK:

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

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

DR. NICOL: Thank you, Mr. Speaker. I rise to request that the petition standing on the Order Paper under my name now be read and received.

Thank you.

THE CLERK:

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

MS LEIBOVICI: I, too, request that the petitions I tabled the other day be now read and received.

THE CLERK:

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

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

MR. BONNER: Thank you, Mr. Speaker. I request that the petition I presented to the Legislative Assembly last Thursday now be read and received.

Thank you.

THE CLERK:

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

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

DR. PANNU: Thank you, Mr. Speaker. I request that the petition signed by 235 Albertans which I presented on Thursday last week be now read and received.

THE CLERK:

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

head: Introduction of Bills

**Bill 13**

**Energy Statutes Amendment Act, 2000**

MR. HLADY: Mr. Speaker, I request leave to introduce Bill 13, the Energy Statutes Amendment Act, 2000.

Mr. Speaker, the amendments will provide for the implementation of an expansion of the existing orphan well program. This proposed legislation will clarify and strengthen the Alberta Energy and Utilities Board's, the EUB's, authority to hold the oil and gas industry accountable for managing the abandonment and reclamation of oil wells and production facilities in a responsible manner that protects the environment and ensures public safety. Implementation of the expanded orphan program will protect the public purse by ensuring that industry funding is available to clean up orphan wells, production facilities, and pipelines.

Mr. Speaker, the bill is the result of a joint government/industry committee which developed the proposed amendments contained in the Energy Statutes Amendment Act. The bill has strong industry support – the Canadian Association of Petroleum Producers, the Small Explorers and Producers Association of Canada – and the concurrence of the EUB, DRD, AENV, and the AFRD.

As well, Mr. Speaker, a number of interested landowners and surface rights groups have been provided with information regarding the expansion of the orphan well program and the proposed legislation and are supportive of the proposed changes being put forth.

[Motion carried; Bill 13 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that Bill 13 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Gaming.

MR. SMITH: Thank you, Mr. Speaker. I'm pleased today to table the appropriate number of copies of the Alberta Gaming and Liquor Commission for the year ended March 31, 1999.

MR. DAY: Mr. Speaker, I'm pleased to table five copies of Scotiabank's regular economic market survey of February 25, which gives a very positive review of the Alberta budget. It highlights the fact that we will be increasing our lead in the economy, increasing our lead in responsible fiscal management and economic reforms, and highlights our increasing debt payment, our spending in priority areas, and our groundbreaking tax system.

MR. JONSON: Mr. Speaker, I would like to table five copies of a letter dated December 10, 1999, to the federal Minister of Health, the Hon. Allan Rock, responding in detail to his questions regarding the Alberta government's policy statement on the delivery of surgical services, including an offer to a face-to-face meeting to discuss any further questions or concerns Mr. Rock might have.

1:40

Mr. Speaker, I would also like to table five copies of a letter to Mr. Rock dated March 2 of 2000 providing a copy of Bill 11, the

Health Care Protection Act, and another offer to meet with Mr. Rock to answer any questions he might have.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's my pleasure today on behalf of 41 residents from Picture Butte and area to present a letter to the Premier of Alberta strongly objecting to a proposed conversion of emergency and acute care services in Picture Butte by the Chinook regional health authority, and 439 letters to the hon. Minister of Health and Wellness saying no to closure of our emergency rooms, signed mainly by residents of Picture Butte in southern Alberta.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have two tablings this afternoon. The first one is a letter dated September 28, 1999, from the Hon. Stephen C. West. In it he confirms to me that he has "no intention to initiate such a provincial review of gasoline prices" that I advocated.

My second tabling is the official program from the Music of A Thousand Years, the 37th annual night of music put on by the Edmonton public school board at the Jubilee Auditorium.

Thank you.

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

MRS. MacBETH: Thank you, Mr. Speaker. I would like to table a letter to the Premier which was copied to us from the Lamont health care centre noting, interestingly, that their total costs for cataract surgery were about \$200 per case, whereas a similar surgery performed in a private facility is at \$600 per case. Interesting data: Alberta solutions.

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

MS CARLSON: Thank you, Mr. Speaker. Today I'm tabling five copies of information about the Edmonton composting facility, which had its grand opening this weekend.

MR. SAPERS: Do you have an extra copy for Ralph?

MS CARLSON: And an extra copy for the Premier, Mr. Speaker.

This facility, a project between the city of Edmonton and TransAlta, is the largest composting facility in North America and will account for 10 percent of all composting done on this continent.

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

MR. DICKSON: Thank you, Mr. Speaker. What I wanted to table at this time were copies of a written submission to you, sir, with respect to matters relating to alleged contempt and privilege discussed on Thursday, March 2 in this Assembly.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. I have two letters to table today. They're both addressed to the hon. Minister of Justice and Attorney General. The first letter is signed by Marie Gordon from McBean Becker, barristers and solicitors, asking him to reconsider

the decision to abolish the use of court reporters in Alberta courts.

The second letter is signed on behalf of the firm of Royal, McCrum, Duckett & Glancy, and it, too, asks the Justice minister to reconsider his decision on pulling court reporters from the courts.

Thank you.

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

MR. GIBBONS: Thank you, Mr. Speaker. I have two tablings today, one being a copy of documents put out by the Canadian Mental Health Association and the Alliance on Mental Illness and Mental Health association of Alberta called Good People, Good Practice: No System, accompanied by information documents.

My second tabling is five copies of a news release named "Alberta returns to the 'dark ages' of mental health care," put out by the Canadian Mental Health Association.

Thank you, Mr. Speaker.

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

DR. PANNU: Thank you, Mr. Speaker. I have 11 letters to table. These letters are written by Albertans who express their opposition and outrage with respect to this government's attempt to legalize private, for-profit hospitals.

The first one is from Reverend Don Mayne from Edmonton. The second one is from my constituents Margaret and Peter McKague. The third one is from Rosilda Girard and one from Emilie Girard, also of Edmonton. The next one is a letter from Allison Yarmoloy, again expressing her opposition. The next one is from Vicky and Roger Morin; three letters from Diane Poynter from Lethbridge, one to the Premier, one to the minister of health, and one to the *Lethbridge Herald*. The next one is from Terry Dashcavich from Peace River, one from Don MacNeil from Leduc, another one from Mr. Clay of Red Deer, and the last one from Hazel Corcoran of Calgary.

Thank you, Mr. Speaker.

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

DR. NICOL: Thank you, Mr. Speaker. I rise today to table five copies of a report approved by the Alberta Rural Physician Action Plan Co-ordinating Committee. This deals with Rural Medical Education.

head: Introduction of Guests

MS EVANS: Mr. Speaker, today it is my pleasure to introduce two grade 6 classes from Our Lady of Perpetual Help school. They are in the French immersion program. Mrs. Castillo and Mr. Dupont accompany them as their teachers. I would ask that this Assembly give them the warm welcome they deserve as they rise and are acknowledged.

Thank you.

THE SPEAKER: The hon. Minister of Innovation and Science.

DR. TAYLOR: Thank you, Mr. Speaker. I don't often have constituents here for a visit, but I'm pleased today to have six individuals from the southeast Alberta water co-operative. They were up here today letting myself and some other ministers know about a severe water shortage that is in existence in southern Alberta today. The president is Ron Harty, and Len Mitzel is a director. I might say that both Ron and Len are from Etzikom, and if you have

the opportunity, there's an excellent windmill museum in Etzikom that Len Mitzel was largely responsible for, so I'd encourage you and any other colleagues to go down and see it. It would be great. Ben Hofer is a director of the water co-op as well, Harold Halvorson is a director of the water co-operative, Byron Haugan, a director of the water co-operative, and Ray Simanton, a director of the water co-operative. Would you all please stand for a warm welcome from the House.

THE SPEAKER: Actually, hon. member, I've had many, many journeys from Etzikom to Manyberries. It's one of my more familiar parts of the province of Alberta. In a previous life I was involved in building the road from Bow Island to Etzikom.

The hon. Member for Drayton Valley-Calmar.

MR. THURBER: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly today some home schooled students from Drayton Valley. They're a very bright, polite group of young students, and they're accompanied here today by a Mrs. Teresa Kisser, Mrs. Esther Robson, Mr. Derald Kisser, and Mr. Stuart Robson. I'm not sure which gallery they're in at the moment, but I would ask them to rise, wherever they are, and receive the warm welcome of the House.

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly two constituents of mine, Pauline Zeschuk and Olga Mattis. They're here today to observe the proceedings of the Legislature. They're seated, I believe, in the members' gallery. I would ask that they stand and receive the traditional warm welcome of the Assembly.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to introduce to you and through you to all Members of the Legislative Assembly a constituent from Edmonton-Gold Bar, Kathryn Buchanan. Kathryn Buchanan assists on fund-raising efforts in the community to provide food for the unfortunate, and we welcome her contribution. She's sitting in the public gallery, and I would now ask her to rise and receive the warm welcome of this Assembly.

Thank you.

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

MR. WHITE: Thank you, Mr. Speaker. I rise today and with great pleasure introduce to you and through you to Members of the Legislative Assembly 28 students from grade 6 at McArthur elementary school. They are here to spend a whole week in the Legislature to learn firsthand by hands-on learning how the Legislature actually operates. If they can do that in a week, they're better than most of us, I'm sure. They're accompanied today by their teacher, Mrs. Carter, and the helpers are Mrs. Marshall and Mrs. Duval. If they would be so kind as to rise in the gallery and receive the warm welcome of the Assembly.

1:50

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

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to introduce to you and to all members of this House three persons sitting in the public gallery. They were all present today at noon hour at the

citizens' vigil and rally outside the Legislature Building protesting Bill 11. They are Malcolm Smith, Bob Settle, and Kathryn Buchanan, who has already been introduced. I'll ask them to rise once again and receive the warm welcome of the Assembly.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'm very pleased to rise today and introduce to you and through you to members of the Assembly a very well-known constituent of Edmonton-Centre. He's well known for a number of things, but today he is here in his role as a Big Brother, and with him is his little brother, Ian McLeod. I would ask Mel Hurtig and Ian McLeod, who are sitting in the members' gallery, to please rise and accept the warm welcome of the Assembly.

head: Oral Question Period

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

### Private Health Services

MRS. MacBETH: Thank you, Mr. Speaker. The question Albertans are asking about the Premier's private hospitals scheme is: why? Why is the Premier prepared and determined to ram his private hospitals legislation down the throats of Albertans with an approximately \$3 million propaganda campaign paid for by the taxpayers when he hasn't presented a shred of evidence that private hospitals won't be more expensive? All the facts presented in study after study show that private hospitals are more expensive and have lengthened waiting lists. My questions are to the Premier. Why is this Premier proceeding with his private hospitals scheme when the Lamont health care centre offers cataract surgery at \$400 less than the same service being provided at private clinics?

MR. KLEIN: That may or may not be the case, Mr. Speaker, but are all the people in the city of Edmonton who need cataract surgeries going to drive to Lamont? There have to be options, and regional considerations have to be taken into place.

As to why, the hon. Minister of Health and Wellness has explained why many, many times. It has something to do with the College of Physicians and Surgeons, and I'll have the hon. minister explain one more time.

MR. JONSON: Mr. Speaker, first of all, I would like to comment directly on the example that was just being quoted. Certainly I would be interested in seeing how those figures were generated, but in terms of evidence – and I think that was the question – the Calgary regional health authority, which has a great deal of experience with cataract surgery, indicates that today, under the current arrangements that they have with contracts under our policy, which, by the way, needs the backing of legislation to really be firmly in place, in Calgary they are doing 500 more cataract operations annually than they did before. That is being done with exactly the same budget as was the case in years previous.

MRS. MacBETH: I sent the letter over to the minister, Mr. Speaker.

Why is the Premier proceeding with his private hospitals scheme when contracting out for cataract surgery has resulted in higher costs according to the Consumers' Association of Canada, right here in Alberta?

MR. KLEIN: Mr. Speaker, there is some doubt as to the validity of

that report and the information on which the report was based. Again, I'll have the hon. minister give the opposite side to that report.

MR. JONSON: Mr. Speaker, my information is that the statistics that the Consumers' Association are using are from about 1994-95. Members of this Assembly may recall that this was about the time we put into place a policy which we want to confirm in legislation with Bill 11. Nevertheless, we put in place the policy which required the contracting of cataract surgeries to the regional health authority under the regional health authorities' auspices, and there would be a clear assessment by the health authority with respect to the charges and costs being levied. So I think that is the background to that one.

MRS. MacBETH: Mr. Speaker, when they point their finger at someone else, they've got three pointing back at them.

Mr. Speaker, why is this Premier saying that private hospitals will be reducing waiting lists when the president of the 1,700-doctor medical staff in Calgary says that it will not reduce waiting lists?

MR. KLEIN: Mr. Speaker, as I understand the head of the Calgary branch of the AMA, he said: the answer is more doctors. That may be part of the answer. It may be part of the solution. That's why we have put in our budget very significant dollars to hire more doctors and other frontline medical staff workers.

The Premiers from all across this country have said that the status quo is not an option. We have a situation now in Newfoundland and Quebec where they're actually sending people who need heart surgery and cancer operations down to the United States to for-profit hospitals, Mr. Speaker.

I quote from the Premier of Newfoundland, Brian Tobin, on a CBC program. He says:

In Newfoundland and Labrador today, we're sending people into the US for both cardiac surgery and for cancer treatments, that's happening all . . .

MR. SAPERS: Nobody in Newfoundland voted for you.

MR. KLEIN: Well, Mr. Speaker, I thought that they would like to hear from a Liberal.

He said:

That's happening all across this country, we already are supporting private health care in another country, its time to deliver the service here in Canada, to Canadians who want to be cared for at home in a quality, accessible, public health care system.

I couldn't agree with him more.

THE SPEAKER: And I gather that the document in question will be tabled.

Second main question. The Leader of the Official Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. For the past six months this Premier has been telling Albertans that his scheme to bring private hospitals to Alberta was based on reducing waiting lists for surgical procedures, especially hip replacements. However, on Friday the College of Physicians and Surgeons stated that hip replacements would not be approved procedures at the Premier's private hospitals. Albertans won't be fooled by this Premier's rhetoric and his manipulative \$3 million propaganda campaign paid for by the taxpayers of this province. The truth is that Bill 11 is a Trojan horse filled with private hospitals. My questions are to the Premier. Why did the Premier misinform Albertans when he said that his private hospital bill was designed to reduce the waiting lists for hip replacements?

MR. KLEIN: Mr. Speaker, it could very well do that by moving other procedures to contracted services. It could free up in public hospitals operating theatres and hospital beds for people who require more complex surgeries. I alluded to joint replacements generally. The college says "may." It doesn't say "won't." May.

2:00

Mr. Speaker, since the hon. leader of the Liberal opposition alluded to propaganda, I'd like to read some of her own propaganda. This was a town hall meeting apparently that was attended by the hon. Associate Minister for Health and Wellness. This is a letter that was distributed to people attending that town hall meeting. A suggested letter that these people write to the Premier, and it says:

Dear Premier Klein.

You have said that your government will pass contracting out legislation. This legislation would allow regional health authorities to contract out the delivery of major surgery to for-profit firms.

Currently some regional health authorities contract out day surgery to for-profit firms, but these for-profit clinics as well as physicians' offices are mediclinics and are limited to providing day surgery.

Allowing for-profits to do major surgeries and secure public funding would expand for-profit health care.\*

That is clearly misinformation. That is clearly propaganda. It says quite wrongly that Bill 11 would allow regional health authorities to contract out delivery of major surgery to for-profit firms. I'm going to read the bill. Bill 11, page 3, section 2(2) clearly states that "No person shall provide a [major] surgical service . . . except in a public hospital."

Mr. Speaker, that is misinformation. That is propaganda, and that's what we're faced with.

MRS. MacBETH: Mr. Speaker, will the Premier admit that he was wrong when he promised that the pain and suffering would stop when his private hospitals legislation was introduced?

MR. KLEIN: Mr. Speaker, what we want to do is explore and examine ways within the publicly funded health care system and under the parameters of the Canada Health Act of alleviating pain and suffering, ways of alleviating waiting lists, the kinds of waiting lists to which Premier Tobin alludes, the kinds of waiting lists to which Premier Bouchard alludes and Premier Harris and Premier Lord and Premier Binns and Premier Hamm and Premier Romanow and Premier Doer, and the new Premier in British Columbia, the kind of waiting lists to which Mr. Rock from time to time alludes. We have to find those new and better and more efficient and more effective ways of doing things, and we still have to do it within the parameters of the Canada Health Act and obey both the spirit and the intent of that very important law.

MRS. MacBETH: Mr. Speaker, when Albertans are suffering from waiting for hip replacements, why won't this Premier spend the estimated \$3 million from his propaganda campaign on hip replacements in the public hospitals? It would significantly lower wait lists in this province.

MR. KLEIN: Mr. Speaker, we are putting now well over \$5 billion into the health care system. That is almost \$15 million per day. Really, all politicians in this country are saying that if we keep on spending the way we are and if we don't find those new and more effective ways of doing things, our health care system will be bankrupt. This hon. member knows all about it. She was the minister of health at one particular time. Unfortunately, she did absolutely nothing to address the problem.

### Speaker's Ruling Decorum

THE SPEAKER: I had great difficulty hearing the last question addressed by the hon. Leader of the Official Opposition. There seemed to be a lot of thundering or something. So I'm going to ask the opposition whip to take some direction and some authority in controlling the enthusiasm so that in fact the question can be heard, the question being addressed by the Leader of the Official Opposition.

### Private Health Services (continued)

MRS. MacBETH: Mr. Speaker, rural Albertans are asking why this Premier is pushing ahead with his private hospitals scheme and a \$3 million spin campaign using their tax dollars. They know that the Premier's private hospitals will locate in the city, where there is money and concentrations of population, leaving rural Albertans with less access to health care services than they have today. My questions are to the Premier. What evidence can the Premier show that his scheme to subsidize private hospitals won't divert dollars away from public hospitals in rural Alberta?

MR. KLEIN: Mr. Speaker, first of all, she talks about the private hospitals scheme. One of the first lines in the legislation after the preamble says that private hospitals will be banned in this province. [interjections] Well, what does it say then? It says, "No person shall operate a private hospital in Alberta." That's pretty much the same thing.

You know, this speaks to the misinformation. In the last three sets of questions the leader of the Liberal opposition has been kicking around this figure of \$3 million. Where does she get that information? Would she like to table in this Legislature today that information? We have said that when the bill goes out tomorrow to all the households, we will be releasing the costs associated with the mail-out. She alludes to \$3 million. That is a figure I have never heard before.

MRS. MacBETH: Perhaps the Premier would like to say how much it is.

Mr. Speaker, how many rural public hospitals will this government be shutting down in order to promote private hospitals in Calgary and Edmonton?

MR. KLEIN: Mr. Speaker, there's no intention to close down any hospital to allow something else to happen. Regional health authorities consider the need for a hospital. It doesn't matter where that region might be. Certainly some hospitals have gone from active treatment centres to long-term care centres. Yes, in some cases some hospitals have been closed down so that the use of other larger and more sophisticated hospitals can be taken advantage of. These are the kinds of things that regional health authorities have to deal with virtually on a day-to-day basis.

If the hon. member wants more information, I'll have the minister reply.

MR. JONSON: Mr. Speaker, I think one of the things that should be kept in mind here – and this is very clearly spelled out in the legislation – is that there must be a contract with a surgical facility that is arrived at and recommended by a regional health authority. So the overall needs of the predominately rural regions of this province I'm sure will be one of their top priorities. They are not going to be weakening or harming their system by entering into any contracts that do not meet the needs of rural areas.

\*This quote could not be verified at the time of publication.

Mr. Speaker, with respect to some of the highly specialized surgical services that are offered and potential for these contracts, they are centered in the cities, and they would be beneficial to rural people as well as to urban because the major urban centres are used by all.

2:10

MRS. MacBETH: Mr. Speaker, why doesn't this Premier just listen to Albertans and call an election right here, right now and let Albertans decide the future of our health care system? Or are you chicken?

MR. KLEIN: Mr. Speaker, we aren't even into year 3 of our mandate. We have some important legislation to consider in this Assembly, and I would hope that we engage the opposition Liberals in reasonable debate. She'll get her chance, you know. It won't be for a while yet, but she'll get her chance. As I said before, you know, we had a little contest a while back, and she didn't like the outcome. I know she won't like the outcome of the next election; that's for sure.

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

DR. PANNU: Thank you, Mr. Speaker. Bill 11 defines facility services that will be allowed in so-called approved surgical clinics as beds, meals, nursing services, diagnostic services, drugs, and operating rooms. The Canada Health Act defines hospital services as beds, meals, nursing services, diagnostic services, and operating rooms. The Alberta Hospitals Act, too, defines services that can be done in approved public hospitals as beds, meals, nursing services, diagnostic services, drugs, and operating rooms. Starting to notice a pattern here? To the Premier: how can the government, on the one hand, use the same definition for facility services in Bill 11 as the definition of hospital services in the Canada Health Act and, on the other hand, try to fool Albertans into believing that approved surgical facilities are anything other than private, for-profit hospitals?

MR. KLEIN: Mr. Speaker, I'm not sure quite sure where the hon. member is coming from. It really doesn't make any difference as long as the procedure is applied under the very, very strict rules of medical conduct and as long as they're provided under the parameters of the Canada Health Act and within the publicly funded system. I mean, we have it happening right now. There are numerous surgical clinics now operating for cataracts, for plastic surgeries, for diagnostic surgeries, for therapeutic abortions, and they're all funded under the publicly funded health care system here. They're all funded under Alberta health care.

DR. PANNU: Mr. Speaker, I'm willing to repeat the question. Maybe the Premier can get it now. How can the government, on the one hand, use the same definition for facility services in Bill 11 as the definition of hospitalization in Alberta's own Hospitals Act and, on the other hand, try to fool Albertans into believing that approved surgical facilities are anything other than private, for-profit hospitals?

MR. KLEIN: Mr. Speaker, I'll have the hon. Minister of Health and Wellness respond. The definition, to my understanding, is quite clear relative to what is a hospital and what a hospital provides as opposed to a surgical facility. I'll have the hon. minister supplement.

MR. JONSON: Well, yes, Mr. Speaker, and the legislation lays out the range of costs that can occur in a health care system. I believe the hon. member is reading from the section which indicates what will be covered overall by the health care system, and I think he's particularly referring to the section where another of the controls in the legislation is being dealt with, and that is that there shall not be charges for the normal range of services that are covered by the Canada Health Act. Yes, when people are under hospital care, they do eat and they do need a place to sleep and so forth when they're in a public hospital, and that's the section that I think you're referring to.

The other thing is that in the Canada Health Act, the reference is to these particular services, Mr. Speaker, but the Canada Health Act in section 8 makes it clear that there is the flexibility for a number of agencies – that's the actual word that's used in the Canada Health Act – to deliver the services under a publicly governed, publicly financed system that complies with all five principles of the Canada Health Act. That is all being honoured in the legislation known as Bill 11.

DR. PANNU: Mr. Speaker, if Bill 11 were a business investment prospectus, it would be thrown out for making false and misleading claims. How can the government justify making a fraudulent claim about banning private hospitals when the facility services that will be done by approved surgical clinics are exactly the same as what are defined as hospital services in both the Canada Health Act and the provincial Alberta Hospitals Act?

MR. JONSON: I really do not follow the logic of his question unless he is trying to indicate that every single fork and knife and bedpan and whatever has to be in a publicly owned facility and owned by the public. Now, I realize that the NDP is consistent. They feel that there should be no private element or volunteer element at all in the health care system of this province, unlike the Liberals, of course, who would accept a system where the doctors would opt out and practise in the private system and also, Mr. Speaker, that you could evidently have facilities operating completely in the private system as well, which is a true two-tiered system. At least I have to admit that the leader of the third party is consistent. He's saying that nothing should be owned or operated by anything but a totally government-run entity.

THE SPEAKER: The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Lethbridge-East.

MRS. FORSYTH: Thank you, Mr. Speaker. Critics of the government's policy and proposed legislation to protect Alberta's publicly funded health care system continue to produce what appear to be instant studies designed to support their particular point of view in opposition to the proposals. An organization known as the Caledon Institute released a study last week claiming that Alberta's proposals could bring the North American free trade agreement into play and force all provinces to admit foreign, for-profit health companies. To the Minister of Health and Wellness: what is the Caledon Institute, and hasn't this NAFTA claim already been shown several times?

MR. JONSON: Mr. Speaker, it's my understanding that the Caledon Institute is based in Ottawa, and they seem, at least in this case, to go back and pick and choose various statistics from various studies. Also, they pick and choose in terms of what they put into the reports.

The allegations or claims specifically with respect to NAFTA, Mr. Speaker, have been addressed in this House. There are clearly provisions in the North American free trade agreement, a section

known as the carve-out provision, and I would ask, if I could, the minister responsible for intergovernmental affairs to comment on that further.

MRS. McCLELLAN: Mr. Speaker, I would be frankly very surprised if anyone relies on this paper for any kind of detailed debate around the NAFTA provisions, because certainly it would appear that the institute has totally disregarded the actual text that's in NAFTA when they prepared this paper. I think the institute may be well positioned to make comment on general social programs or on health policy, but clearly, by virtue of the information in this paper, it doesn't have the background that's related to trade policy or the knowledge of the NAFTA agreement that's necessary to comment on that, so I would discount it entirely.

#### **Speaker's Ruling Questions outside Government Responsibility**

THE SPEAKER: Hon. members, on more than one occasion today the questions have basically zeroed in on asking about something that has nothing to do with the administration of the province of Alberta. Some institute located in another part of this country does not fall within the administrative jurisprudence of this particular Assembly, so phrase the question in such a way that the real rules of question period are observed. Now, this is not the only member. Not the only member.

#### **Private Health Services (continued)**

MRS. FORSYTH: Thank you, Mr. Speaker. Given that this study also claims that there is clear evidence of higher cost for cataract surgery in Calgary, where it is done at private clinics, compared to other jurisdictions where it is done in public hospitals, what clear evidence exists to support that conclusion, Mr. Minister?

2:20

MR. JONSON: It's my understanding, Mr. Speaker, that the data that the Caledon Institute is referencing is in the period 1996 to 1997, perhaps as early as 1995. I won't repeat the whole history of that particular period of time with respect to cataract clinics and clinics generally, but it was before we had our policy in place, and we did recognize we had a legislative gap. We used the policy as much as we could to deal with this area.

As I indicated, I think a good piece of evidence, Mr. Speaker, that comes from 1999 is that once we had the contract arranged and within place in Calgary with cataract clinics, the Calgary regional health authority indicates that they have kept their budget at a flat line. It has not increased for cataract surgery, and they are today contracting for 500 more cataract operations per year than before.

THE SPEAKER: The hon. Member for Lethbridge-East, followed by the hon. Member for Redwater.

#### **Rural Physicians**

DR. NICOL: Thank you, Mr. Speaker. The minister of health has put a lot of stock in the Physician Resource Planning Committee process. In September the committee tabled a report to the minister which showed the need for 35 new positions in the rural physician training stream. It noted that the rural physician stream is most effective, with up to 50 percent of the graduates staying in rural practice. We need more doctors, not private health facilities. My questions are to the Minister of Health and Wellness. What is the minister planning to do to meet the gap in rural physician needs identified in the rural physician action plan?

MR. JONSON: First of all, Mr. Speaker, we have already done a number of things. The first thing, of course, was to establish a rural physician action plan physician committee to advise us on the needs as far as rural physicians were concerned.

Secondly, two and a half years ago now, Mr. Speaker, we put in place and funded an overall recruitment process and some assistance to isolated areas in the province to recruit more physicians. That was a very successful program, adding, as I recall, some 80 physicians to needy rural sites across the province.

Further to that, Mr. Speaker, one of the major issues with rural physicians that was identified prior to the last round of AMA negotiations was that of there needing to be a payment system for on-call services of rural physicians. We put that payment program in place parallel to the discussions with the AMA on their agreement at that time. That has worked well, and I've had many compliments to government overall and to the people who have worked on that initiative.

Further, Mr. Speaker, we have been in discussions with the Alberta Medical Association rural physician action plan committee and working back and forth with universities to look at future recruitment needs and particularly the whole matter of where you locate people for their internship or practical experience. I just recently had a discussion with Dr. Tyrrell, dean of the faculty of medicine at the University of Alberta, and he indicates that they have a rural placement component in all of their internship programs now, which is proving to be quite helpful.

DR. NICOL: Mr. Speaker, my first follow-up question is: of these 35 positions that the report recognized as being needed in rural Alberta, how many of the 20 new positions announced for this year will be dedicated to meet that 35 need?

MR. JONSON: Well, Mr. Speaker, if the Member for Lethbridge-East is referring to the recent announcement with respect to funding an additional 20 internship positions this year and 40 next year, if that is the announcement, I would indicate that there is no specific announcement of any of those positions to rural areas, although with the overall additional internship positions and the fact that we are retaining more Alberta-trained physicians and in the overall internship program you have a definite rural experience or rural component, I think that particular area shows promise of retaining more physicians in this province.

DR. NICOL: Mr. Speaker, if he's not going to dedicate any of those to satisfy the needs of rural physicians, what is it that rural Alberta can look forward to in this new plan they're talking about that's supposed to solve all of our needs in health care? There's no dedication of these positions to rural Alberta. Will they please do something?

MR. JONSON: Mr. Speaker, as I have indicated, I think there's been a great deal taking place in the province with respect to the recruitment and retention of physicians. For instance, it was indicated to me recently, verbally, mind you, but by people from the faculty, that we have a higher rate of retention of our medical school graduates here in Alberta than almost any other province in this land.

As I've indicated, we have recruited about 80 physicians for rural areas. We have had very few concerns lately with respect to general practitioners. We seem to have an adequate supply in rural areas, although not ideal, Mr. Speaker.

Yes, in some of our regional health authorities we do need additional specialists, Mr. Speaker, but we are making a considerable amount of progress in this regard. I think our overall increase

in the number of physicians last year, about 170 in this province, plus the overall rural recruitment program, which has focused many physicians on rural areas, indicates our very sincere commitment and action that we've taken in this regard.

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

**Private Health Services**  
(continued)

MR. BRODA: Thank you, Mr. Speaker. Allan Rock, the federal Minister of Health, has been quoted as saying that he has some concerns about the government's proposal to protect the publicly funded and publicly administered health care system. To the Minister of Health and Wellness: has the federal minister conveyed any of the concerns expressed on a weekend radio program to the government, and has there been a reply?

MR. JONSON: Well, Mr. Speaker, as would be indicated if hon. members had an opportunity to peruse the tablings earlier in this afternoon's session, one would note that we have had an exchange of correspondence over the initial policy statement being released. When that was released, the hon. federal minister replied to me indicating that he had a number of questions. Those questions were answered in considerable detail, and I've heard nothing official since with respect to any difficulty that the federal government or the federal minister had with the policy statement.

Now, Mr. Speaker, we have gone through the same process, which I think is a good one, and that is sending a copy of our legislation to the federal minister and asking for his comments and his reply. To date I have not received a formal reply, but I think the federal minister may need some time. I hope not too much time, because we do want to get on with the legislation and be moving along.

We are in contact; we are communicating back and forth. To date there have been no specific issues, violations of the Canada Health Act raised with this minister.

MR. BRODA: Thank you, Mr. Speaker. To the same minister. The federal minister seems to be particularly concerned about patients being pressured into buying services they don't need. Don't the government's proposals specifically deal with this situation in clear and unmistakable language?

MR. JONSON: Yes, Mr. Speaker. That may be one of the concerns of the federal authorities if one can go by the media coverage. I know it's usually reliable, but occasionally it is not. We feel that it is much better to deal directly with the federal authorities.

2:30

Yes, Mr. Speaker, Bill 11 has a very, very specific section designed to prevent the overcharging, the up-charging without medical necessity and without informed consent from patients, and if there is a violation of this section, there are penalties which are quite substantial. I've not looked at all the health legislation in the country, but I think we are probably the only province that has that kind of tough provision in a proposed piece of legislation for protection.

MR. BRODA: My final question, Mr. Speaker, to the same minister: hasn't the federal minister himself asked the Alberta government to pass legislation containing the very principles included in its proposal?

MR. JONSON: Mr. Speaker, going back to the time during which Bill 37 was before the Legislature of the province, the federal minister at that time definitely agreed that we had a legislative need or a legislative gap, I think it was called, which Bill 37 was designed to close. That was verified by the blue-ribbon panel report that some of the members across the way may have read. Finally, in Bill 11 that particular issue is being definitively addressed.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Egmont.

MR. WHITE: Thank you, Mr. Speaker. This government is spending an estimated 3 millions of taxpayers' dollars on a massive propaganda campaign designed simply to manipulate public opinion. The Premier and his government are acting as public relations agents for private hospitals: HRG, Gimbel Eye Centre, Surgical Centres Inc., Enterprise Universal Inc. My questions today are to the Premier. Why, sir, are you as Premier pushing headlong ahead with this \$3 million spin campaign for something that Albertans (a) didn't ask for, and (b) simply don't want?

MR. KLEIN: Well, first of all, I'm not so sure, Mr. Speaker. I think that Albertans want their government to find ways to shorten waiting lists, to ease pain and suffering, to find these ways to do them within the confines of the Canada Health Act and under the publicly funded system as we know it today. That's what Albertans are telling us they want. I would venture to guess that I get the bulk of the mail on health care, not so much on this bill but people complaining about waiting lists and having to be shipped out of their regions and so on. It's not acceptable, and every Premier in Canada agrees that it's not acceptable.

Relative to the \$3 million, obviously the hon. Member for Edmonton-Calder wasn't listening. The leader of the Liberal opposition alluded to \$3 million about three times in her first three sets of questions. Well, the costs of this honest, open campaign, of a bill – what is dishonest about sending out a bill to the people of Alberta? The only person who has cast doubt on Albertan's ability to read and understand the bill is the leader of the Liberal opposition, and that is shameful. She has said to Albertans: you won't understand the bill; you can't understand the bill. I find that to be shameful, presumptuous, and an insult to the people of this province.

MR. WHITE: Mr. Premier, if you're not going to spend the \$3 million alleviating that suffering that you were saying you wished to do and you will not explain in this House precisely what is included in that \$3 million, when will you explain to the citizens of Alberta why and how much this campaign is going to cost?

MR. KLEIN: Mr. Speaker, I indicated to the member that the cost associated with mailing out the bill and some very minor advertising simply advising Albertans that the bill is available and where to call and so . . . [interjections] This is not the kind of propaganda that the Liberals have been sending out. This is propaganda. This is propaganda. This is a suggested letter. Again, you know, the Liberal opposition presumes that Albertans can't even write their own letters, actually prepares a letter based on misinformation for Albertans to send. They have insulted Albertans to the point of saying: you aren't even capable of writing your own letter; we'll write the letter for you and give you a copy so you know what to say to the Premier even if it is wrong. That is another insult to Albertans.

MR. WHITE: Mr. Speaker, how does the Premier answer my barber



when he says: if it costs \$3 million to sell that load of fish, then the fish must be rotten? [interjections]

Mr. Speaker, the Premier was unable to hear my question. I'm sure he's able to listen.

THE SPEAKER: Please sit down. The chair was not able to hear the question either, and it was this ear that was blocked. [interjections] No, no, no.

MR. WHITE: Thank you, Mr. Speaker. Mr. Premier, how do I answer or you answer, for that matter, my barber when he says: "Why does it cost \$3 million to sell this barrel of fish? If that barrel of fish is so good, why does it need \$3 million to sell it? It must be rotten."

MR. KLEIN: Mr. Speaker, yes, some dollars have to be spent to mail the bill out – this is unprecedented – and let Albertans decide for themselves without all the political rhetoric and the propaganda and the misinformation that is being spread by the Liberals. This is an important piece of legislation, a very important piece of legislation, and there's been so much misinformation relative to this piece of legislation being spread by the Liberals, being spread by the NDs, being spread by the Canadian Union of Public Employees, being spread by the Friends of Medicare: you name it. The best way is to let Albertans decide for themselves. Let them see the bill.

The Liberals don't believe that Albertans can decide for themselves. The leader of the Liberal opposition has questioned the intelligence of Albertans to read and understand the bill. Last week she insulted Albertans. She insulted the intelligence of Albertans. We're not doing that, Mr. Speaker. We're saying to the people of this great province of ours: you read the bill and let us know what you think.

THE SPEAKER: Actually, hon. Member for Edmonton-Calder, when you addressed your question with reference to your barber and the question went to the hon. leader of the government, my greatest fear was that the hon. leader of the government was going to respond, "I sincerely hope that your barber is not the same as that who takes care of the hon. Provincial Treasurer."

The hon. Member for Calgary-Egmont.

### School Violence

MR. HERARD: Thank you, Mr. Speaker. Violence in schools unfortunately knows no boundaries, and wherever it happens, it causes great concern and serious questions. To the Minister of Learning: do our teachers and school administrators receive training specifically to deal with violence or threats in our schools?

DR. OBERG: Thank you very much, Mr. Speaker. Our department, together with the Alberta Teachers' Association, started a project called Safe and Caring Schools roughly three to four years ago. What this project was designed to do was to enable teachers to deal with the violence that we could see coming.

Obviously, in Alberta we had an absolutely horrific incident last year. It's something that we absolutely do not want to see happen again, and it's something that we will do our utmost to ensure will not happen again. More so, we will do our utmost to ensure that teachers are prepared for what to do if incidents of violence occur in the school. It is no longer just an American phenomenon, and it is no longer just a joke.

2:40

MR. HERARD: Thank you, Mr. Speaker. To the same minister: are

there dollars in the funding formula for school boards so that they can appropriately prepare their teachers and administrators to deal with this potential problem?

DR. OBERG: There are dollars in the budget in a couple of places. First of all, we have contributed \$900,000 per year to what is called the regional consortium. This is a consortium between the Alberta Teachers' Association, the school boards, and Alberta Learning to provide professional development. I'm happy to tell the hon. member that there is a considerable amount of professional development that is taking place with regards to violence in schools.

Mr. Speaker, there is also the student health initiative, which, again, is to deal with the student, to deal with what happens when these members of society see it as a problem and see it as an issue where violence causes itself to come out. There are several places in the budget where we are looking at this very serious issue.

MR. HERARD: Thank you, Mr. Speaker. To the same minister: is there a compulsory policy or regulation that requires our school principals in all of our school districts to report occurrences of violence or threats?

DR. OBERG: Mr. Speaker, first of all, there is nothing specific that says that if there is an act of violence within a school, it is reported to a central agency. One of the things that we do pride ourselves on is that our school boards tend to talk to each other and, if violence occurs, certainly can take a look at making sure that other school boards know about this situation. It is not compulsory, for a lot of privacy concerns, for a lot of privacy issues. It is something, though, that we absolutely have to communicate better to our school boards and among school boards so that violence does not happen in Alberta schools.

THE SPEAKER: Hon. members, in a few seconds from now we'll call upon the first of six members to participate in Recognitions.

I'd also ask that those members who feel that they have to make a contribution to the point of privilege, that we'll deal with in a few minutes from now, all remain in the House, and all those individuals who were named the other day who have something to add to this particular concern should be here.

While we have the 30-second break, I'll call on the hon. Minister of Gaming for an introduction, if that meets with approval. Agreed?

[Unanimous consent granted]

head: Introduction of Guests

(reversion)

MR. SMITH: Thank you, Mr. Speaker. It gives me real pleasure today to introduce through you to the balance of the Assembly a councilman from my home city, Red Deer, Alberta. He is also an active, vibrant member of the business community and owns 67 Street Liquor Store. He is actually a good friend of mine from the '80s when we were in the oil patch together and both plied the free-enterprise placards together. I'd ask Bill Hull to stand and receive the warm welcome of the Assembly.

MR. STRANG: Mr. Speaker, I'd like to introduce to you and through you a hardworking constituent of West Yellowhead, the mayor of Grande Cache, Mr. Floyd McLennan. I'd ask him to kindly stand now and receive the warm welcome of the Assembly.

head: Reading and Receiving Petitions

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

### Women of Distinction Awards

MRS. O'NEILL: Thank you, Mr. Speaker. It's my honour to rise today to recognize five remarkable women who will be honoured as recipients of this year's women of distinction award, given out each year by the St. Albert Baha'i community in conjunction with the United Nations International Women's Day.

These remarkable women are Ada Curial, who is an educator and a founder of the Lo-Se-Ca Foundation, which is dedicated to improving quality of life for disabled people and their families; Gillian Hansen, a grade 12 student at Paul Kane high school, for her community volunteer efforts; Fran Preston, also a volunteer at the Community Information & Volunteer Centre; Millie Seitz, a volunteer with the International Year of Older Persons Celebration Garden; and Wendy Stiver, who in 1989 began working with St. Albert Special Olympians and has continued her wonderful and indomitable effort in leading and organizing all Special Olympics meets and gatherings within St. Albert. I would ask the Assembly to recognize these five remarkable women.

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

### CIAU Volleyball Championship

MR. BONNER: Thank you, Mr. Speaker. It is my very great honour and privilege today to recognize the University of Alberta Pandas volleyball team, the CIAU national champions for the sixth consecutive year. The Pandas defeated the hometown University of Manitoba Bisons Saturday in a cliff-hanger five-set match. Panda centre Christy Torgerson was named tournament MVP, and another fifth-year Panda, Jenny Cartmell, was named to the all-tournament team. Special recognition should also go to interim head coach Lorne Sawula, who was named the 1999-2000 coach of the year, and to head coach Laurie Eisler, two individuals who have built Panda volleyball into the powerhouse program it is today.

The sixth straight national title puts the Pandas in the history books, tying the record for consecutive women's national volleyball titles. These hardworking and dedicated young women deserve tremendous respect and admiration for their accomplishments and for bringing the CIAU banner home yet again to the University of Alberta. Congratulations, Pandas.

THE SPEAKER: The hon. Member for Little Bow.

### Team Alberta North

MR. McFARLAND: Thank you, Mr. Speaker. It's indeed a pleasure to rise as a volunteer member of the Alberta Sport, Recreation, Parks and Wildlife Foundation to recognize Team Alberta North and its members participating in the 16th edition of the Arctic Winter Games. Team Alberta North consists of 232 individuals composed of athletes, coaches, cultural delegates, and staff. They are currently participating in the games that are running from March 5 to March 11 in Whitehorse, Yukon.

The goal of the Arctic Winter Games is to foster competitive opportunities for northern athletes, who due to lack of facilities and a limited pool of athletes are unable to successfully compete against their southern counterparts. Team Alberta North has participated in the games since 1986, and the town of Slave Lake hosted the international event in 1994. Now held every two years, the friendly games, as they are known, continue under the mission of athletic competition, cultural exhibition, and social interchange. I invite all members of this Assembly to join me in wishing the fine athletes from the Northwest Territories, Nunavut, Yukon, northern Quebec,

Alaska, Greenland, and Russia well-deserved applause from this Assembly.

Thank you.

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

### National Engineering Week

MR. WHITE: Thank you, Mr. Speaker. The week of March 4 to 12 is National Engineering Week in Canada. The Association of Professional Engineers, Geologists and Geophysicists of Alberta has subtitled this week: Engineering – Anything's Possible. From the depths of the oceans to the edges of outer space, Alberta engineers, geologists, and geophysicists make anything possible. They turn novel ideas into practical, feasible solutions that address our basic needs, from harnessing new resources for fueling your car to designing more ergonomic work environments.

Engineers, geologists, and geophysicists are creative, innovative thinkers working behind the scenes of a \$9.3 billion industry helping Albertans meet the needs of a modern world. Their ingenuity and problem-solving skills contribute to local and international economies and play a role in influencing the careers of today's youth. In Alberta, sir, engineers believe that anything is possible.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

### RoseNet

MS PAUL: Thank you, Mr. Speaker. I would like to recognize the fine work of the University of Alberta legal studies program in partnership with Changing Together in establishing a web site called RoseNet.ca. This web site has much-needed, pertinent legal information for abused immigrant women.

RoseNet is a web site for immigrant women developed by immigrant women. The project has several objectives: to empower immigrant women by enabling them to develop skills in using the web for nonformal learning and to collectively develop a safe, virtual place for immigrant women to learn relevant legal information on spousal abuse. It is educational projects of this nature that will in the future help stem the tide of family violence, improve the quality of life for immigrant women, and make Alberta the society of choice.

Thank you.

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

2:50

### Dr. Aleksandar Kostov

MS LEIBOVICI: Thank you, Mr. Speaker. On February 25, 2000, Dr. Aleksandar Kostov passed away at the age of 42 years. He was an accomplished scientist, researcher, and biomedical engineer at the University of Alberta who valiantly fought a rare form of cancer, only to be felled by a stroke. His daughter wrote this tribute:

To those who knew my father,  
I was once told,  
that a person never ceases to exist,  
if one always remembers them.  
I know that my father left more than a thought.  
He left behind a rich legacy.  
  
He lived twice too fast,  
and died twice too early.  
What he had done for this world,  
was far too great already.  
He was not given permission to do more.

He taught those close to him,  
the passion of achieving,  
and the desire to perfect every art.  
Above all, though, he was just my dad.

He is survived by his wife, his two daughters, his sister, two nieces, and his parents.

Thank you.

THE SPEAKER: Hon. members, March is also Asthma and Allergies Awareness Month, Help Fight Liver Disease Month, National Kidney Month, Nutrition Month, Red Cross Month, Spay/Neuter Month. March 3 to March 26 is Easter Seal Mail Campaign. March 3 was the World Day of Prayer. The hon. Member for Edmonton-Calder has correctly pointed out that March 4 to 12 is National Engineering Week. The hon. Member for Little Bow has correctly pointed out that the Arctic Winter Games are being held March 5 to 11. March 5 to 11 is also National Dental Assistants Recognition Week. March 5 to 11 is also Suicide Awareness Week. March 6 to 12 is Pharmacy Awareness Week. March 8 is International Women's Day. March 8 is also the launch of the World March of Women 2000, and March 8 to 15 is National Farm Safety Week.

#### **Privilege Contempt of the Assembly**

THE SPEAKER: Now, hon. members, on Thursday last several hon. members participated in a point of contempt, a point of privilege, and I indicated, after hearing very, very preliminary statements from the Opposition House Leader and the Government House Leader, that we'd return to this matter at this time on Monday afternoon. For the purpose of what will take place in the next few minutes, I would like to advise all members that everything should be stated in the record. The fact that someone may want to table something, regardless of what is said in the tabling – it should be in the record of this parliament and this House so that it's here for future reference. I would invite all members who wish to participate to participate.

First of all, we'll recognize the hon. Opposition House Leader.

MR. DICKSON: Thank you very much, Mr. Speaker. You will recall that I'd given verbal notice on March 2, 2000. What I now want to do is particularize that notice, and I would just say that I had attempted to distribute a copy of some written material to your office, sir, to the Government House Leader, to the leader of the New Democrats, to the independent member, and also faxed copies to the three members who are specifically named.

The circumstances are this. I'm alleging, sir, that there's been either a contempt of the Assembly or, alternatively, a breach of the privileges of the members of the Assembly or at least of some of the members. I've cited as authority Standing Order 15, which is something you're very familiar with and that I think other members are as well.

Now, the facts that are the basis for the claim would be as follows, Mr. Speaker. Bill 11, the Health Care Protection Act, appeared on the Order Paper for Wednesday, March 1, on notice for first reading. Now, on March 2 at approximately 9:30 a.m. my colleague for Edmonton-Meadowlark and health critic for the opposition phoned the office of the Minister of Health and Wellness and asked for an opportunity to attend a technical briefing on Bill 11 prior to its introduction in the Assembly later that day. Neither the minister nor his executive assistant were available. She was advised by someone in the minister's office that her request would be considered. She'd received no response as of 1:30 p.m. on March 2, 2000.

Now, on Thursday, March 2, the same day, certain individuals, including members of the legislative media gallery, were invited to the media room in the basement of this building at approximately 12:15 p.m. for, quote, a technical briefing, close quote, on Bill 11. Those individuals were advised that the Premier would meet with them in the same room at 1 p.m. to discuss Bill 11.

At 12:28 p.m. the office of the Leader of the Official Opposition received by fax a letter from the Minister of Health and Wellness inviting her to a technical briefing on Bill 11 at some unspecified time and place. A copy of the letter I've attached to the materials I provided to you, sir, and the other House leader. It had also been tabled on Thursday, so it will be a sessional paper. I would note that it would have been physically impossible for that invited briefing to have occurred before Bill 11 had been presented for first reading in the Assembly, and in the circumstances submitted, there could have been no reasonable expectation that such a briefing would have occurred prior to 1:30 p.m. on March 2.

At approximately 12:58 p.m. the opposition leader attended at the media room in the basement of this building. There was no sign or particular notice on the door. She entered the room through the double doors. Once inside, a government employee, presumably working under the instructions of the Minister of Health and Wellness, told the opposition leader to leave. Mrs. MacBeth then asked the Member for Calgary-Glenmore, who was apparently chairing the meeting, whether she could stay. That member replied that she could not stay. She then exited the room.

Now, the media representatives and others in attendance in the media room were given materials including what's understood to be the final copy of Bill 11. Further, I'd note that in the *Edmonton Journal* on March 2 an article entitled "Health law debate starts new phase" references sections in the bill such as the following: "A section of the bill obtained by *The Journal* says . . ." I'd end the quote there. The substance of the quote is not germane. It certainly appears from that article that the daily newspaper had secured a copy of Bill 11 prior to its introduction in the Assembly. Bill 11 in fact received first reading on Thursday, March 2, 2000.

The issues, Mr. Speaker, I'd respectfully suggest, are these. Why is the government of Alberta releasing a public bill to the media before it is tabled in the Assembly and given first reading? Can the Member for Calgary-Glenmore and the Minister of Health and Wellness provide nonmembers with a copy of the bill after the bill appears on notice on the Order Paper but prior to its first reading by the Assembly? Is the answer to that question different if representatives of the opposition are also provided with the bill on the same or equivalent basis and at the same time? Further, can the Leader of the Official Opposition be denied access to a briefing on a public bill that is on notice to be introduced later that same day? Finally, the question of who controls the media room in the basement of this building: can the government and the media make private arrangements to deny other MLAs access to that facility without the Speaker's express approval?

Let me just very briefly highlight the authorities. I propose not to go through them word by word because all members have access to them. Standing Order 15 I've cited before. Just while I'm dealing with that, although you received no written notice the other day, I notice that Standing Order 15(5) makes provision for something to be raised verbally, and I'd suggest that's in fact what happened last Thursday.

On February 24, '99, you, sir, dealt with a claim that the Premier and the minister of health had committed a contempt of the Assembly by not allowing members to attend or participate in a health summit, and that was discussed in *Hansard*, February 24, page 163. You held, sir, that a question of contempt – this is as I understood

your ruling – should be raised in the same fashion as a question of privilege, and that’s what brings us here.

I might make note of the fact that you ruled on those facts at that time, in 1999, that no contempt had been made out on the facts since the summit was a matter of government and not an act or event of the Legislative Assembly. *Beauchesne* in articles 123, 124, 125, I think, is germane. It talks about the privileges of parliament existing to be enjoyed by individual members and by each House for the protection of its members and – I’d emphasize this – for the vindication of its own authority and dignity.

Then you also have provisions which talk about control over documents in its possession. *Beauchesne* 174: “The Speaker has the control of the accommodation and services in that part of the Parliament Buildings and precincts occupied by, or on behalf of, the House.” That’s from *Beauchesne*, of course. It talks in article 221 about the Clerk being “responsible for the custody of all legislation during all its stages and proceedings.”

3:00

My argument, Mr. Speaker, would be as follows. It’s my respectful submission that the Premier, the minister of health, and the Member for Calgary-Glenmore took steps to introduce media to the contents of Bill 11 in advance of first reading with the sole purpose of influencing the public messages around this bill without any opposition perspective and commentary.

The tradition and parliamentary practice of not publishing or releasing bills before they are first introduced in the Assembly serves a couple of purposes. Firstly, sir, you would prevent any nonmember from taking advantage of, quote, insider knowledge, close quote, to further private interests. Secondly, it underscores the important role played by elected legislators. It invests both the Assembly and the work of members of the Assembly with the gravity and respect needed in a parliamentary democracy.

Now, I’ve made a quick survey of other Canadian provinces since last Thursday, and what I’m relating to you, sir, is what I’ve been able to unearth to this stage. A review of processes in other provinces supports the convention that public bills are not disclosed prior to first reading in the Assembly. I was unable to find any disclosure similar to the facts of this case in Nova Scotia. An official with the Clerk’s office in Ontario, a legislator with some 11 years’ experience, has told my office that they could remember no such prior disclosure in that jurisdiction. We received similar information from British Columbia. In Manitoba an official in the Clerk’s office advised my researcher that in the last nine years there was no recollection of incident similar to what is an issue in Alberta. In Manitoba apparently the minister needs to, quote, sign off, close quote, by letter before a bill can be publicly released.

Now, in Saskatchewan – and once again, I’m just relating, Mr. Speaker, the best information I’ve been able to obtain. If somebody has more detailed information, I’d like to hear it. Apparently in the province of Saskatchewan the Speaker has dealt with a similar case. In attempting to obtain some particulars, the information I have to date suggests that the Speaker may have held that prior disclosure was not a breach of privilege since it occurred outside the Assembly, but in the case that I’ve been told of, the Speaker apparently cautioned the government about the unfairness of such actions and the need to respect the role of the Assembly. In any event, I suggest to you that I’ve mentioned the case because I want to make full disclosure, whether it’s helpful to my case or not. I’d say that the Saskatchewan decision may be distinguishable, and I’ll come back in a moment and talk about what’s different about Bill 11. Hard to imagine a bill that would have achieved larger notoriety or public attention than what’s accrued to Bill 11.

Now, I also understand there’s been a similar objection raised in the House of Commons. I had received and I’ve passed on to the table just moments ago some material which wouldn’t have been made available but half an hour ago. I just received it. In the House of Commons there was a question of privilege raised by the Member for Calgary Centre, and this had to do with the disclosure of Bill C-23. This is the bill colloquially known as the same-sex benefits bill, Mr. Speaker. The concern raised there was that a Mr. John Fisher, a member of a special interest group, had sent an e-mail via the Internet outlining in detail his analysis of Bill C-23 before it was actually introduced and read a first time in the House. The argument there was that he had to have had possession of the bill beforehand, and the argument was that the Minister of Justice, the Hon. Anne McLellan, had leaked information, and this is contrary to parliamentary practices.

Now, that was raised on February 15, 2000, and on Monday, February 21, 2000, the Speaker gave his ruling on the question of privilege. The note I have is as follows. The Speaker stated that although the members of the House should always be the first ones to examine legislation after it has been introduced and read the first time, this rule must be balanced against the need for the government to consult both experts and the public when developing its legislative proposals . . . The Chair must rule that the matter raised by the hon. member for Calgary Centre does not constitute a *prima facie* case of privilege nor a contempt of parliament.

That’s in the *House of Commons Debates*, 3766-7.

I might say that I think there’s a way of distinguishing that. In fact, in the situation that I’ve put in front of you, Mr. Speaker, one can scarcely say that this is about developing a legislative proposal. The bill had been printed, and that would have been the case when we had notice the day before. This has nothing to do with developing a legislative proposal; it’s a question of putting it forward.

Now, I would distinguish this from the case you dealt with when I’d raised the contempt matter with respect to the health summit. We’re now dealing with what I’d describe as the stock-in-trade of this Assembly, namely a public bill.

It’s been held also – and I’ve cited some authorities, sir – that the Speaker’s jurisdiction extends outside this particular Chamber we’re speaking in now. I reference a letter dated July 2, 1992, from Speaker Dr. David Carter to a reporter. I’ve attached a copy of that letter where the Speaker there exercised jurisdiction with respect to the office of the Clerk Assistant. So it did extend outside this building. Further authority for that notion of extended jurisdiction can be found in the incident of April 29, 1992, when Speaker Dr. David Carter reportedly shoved a cameraman, not in this room but in the Legislature hallway outside. So I think there are authorities, sir, that you have jurisdiction outside this building.

Throughout the fall 1999 session of the Assembly the Premier repeatedly talked about his new private health care bill. He discussed at length the policy document upon which the bill was based. The Premier and the Minister of Health and Wellness continued to, I’d suggest, trumpet this anticipated private health care legislation. The Speaker, I suggest, can take notice of the enormous public interest in the issue.

Mr. Speaker, on March 2, 2000, the Premier described Bill 11 in these terms:

Mr. Speaker, this is a bill. This is a very important document. This is the most important document that this Legislative Assembly can receive and consider, and to refer to this as propaganda is absolutely shameful.

I’m skipping ahead:

I point out again that this is the result of one of the most intensive public consultation exercises in the history of this province and certainly of this Legislative Assembly.

I just mention, sir, in terms of context, that I had read something the other day and was reminded of the comment made by R.B. Bennett on May 30, 1938, when he was talking about the abuse and undue advantage of power which political fortune has temporarily placed in the hands of the majority. I'd ask you to in fact share some of this sentiment in the exercise of your considerable powers. R.B. Bennett said:

I occupy a position in which I am placed by statute, and one of my duties is to do exactly what I am doing, to try to safeguard the liberties of Parliament from encroachment by the government of the day. That is my duty. That is one of the difficulties of the position which I occupy, and I will discharge that duty whether it be on behalf of a member of the Opposition or of any other party when there is a tyrannical exercise of power on the part of the Government by reason of a great majority, enabling the administration to destroy the liberties of this Parliament, which have been secured in the manner we all know. When that happens it is my unfortunate duty to protest against such an encroachment upon the liberties of members of the House and I propose to do it so long as I am here.

Mr. Speaker, you have witnessed, as I and other members have, a host of things which have weakened the esteem and the stature of this Assembly, whether it's the throne speech, which has become anticlimactic because of the Premier's now annual televised speech, whether it's the budget speech, which amounts to a reiteration of previous spending announcements, whether it's Conservative caucus standing policy committees being passed off as committees of the Assembly, whether it's a host of summits which are all extralegislative exercises, whether it's a budget process and the A, B, C, D committees that dramatically reduce the opportunity for opposition MLAs to scrutinize estimates. One of the few things we're left with in this Assembly is the process dealing with public bills.

I suggest, sir, that you are in a position to take notice of the opportunities of the \$8 million budget of the Public Affairs Bureau, the advantages that that affords the government to communicate with and reinforce its message to the Alberta public. But when it comes to public bills, I think it's important that we respect the process.

The reason I've cited the three members. The Member for Calgary-Glenmore chaired the technical briefing provided March 2, 2000. Typically, technical briefings are provided by department officials. Is it appropriate for a member to provide a technical briefing which will likely be seen as a political message because it's coming from an elected member? The Minister of Health and Wellness I've named because he's the sponsor of Bill 11. He's responsible for all legislation to be administered by his department. The government workers who participated in the technical briefing which excluded the Leader of the Opposition were identified as employees of the Department of Health and Wellness.

3:10

The Premier is cited largely on the basis of his comment on February 22, 2000, in question period where he said:

You know, in my political career that spans almost 20 years now, I have never looked forward with more enthusiasm to the time when this bill will be tabled so I can debate in this House in front of the television cameras this Leader of the Opposition, Mr. Speaker, with an independent referee like yourself, sir, to make sure that it's absolutely not stacked, that's it's unbiased, that's it's done in the most revered Chamber of this province, right here in the Legislative Assembly.

It's inconceivable, given the importance of the bill to the government, that the treatment of this bill, including the technical briefing, would not have been completely within the knowledge of the Premier. Then the Premier did, I understand, meet with reporters at approximately 1 p.m., immediately after the technical briefing, to discuss the bill.

So the relief sought is a declaration that a prima facie case has been established that one or all of the Premier, the Minister of Health and Wellness, and the Member for Calgary-Glenmore have committed an act that constitutes a contempt of the Assembly or a breach of the privileges of the members; secondly, further or in the alternative, a referral to the Standing Committee on Privileges and Elections for a formal hearing and a recommendation as to penalty; further or in the alternative, a direction that Bill 11, the Health Care Protection Act, has been improperly introduced in this Assembly, a declaration that there be no further proceedings on that bill; and then further in the alternative, such other relief as may be appropriate upon the decision of the Standing Committee on Privileges and Elections.

Finally, my last point. I'd also just received and shared with the Government House Leader a ruling of February 16, 1996, which I've just come into, which has to do with budget briefings. I've provided it to you and the Government House Leader. I'd respectfully suggest that other than talking about the importance of budget secrecy – I think it's something different from a bill. I think it's important to note that the opposition in fact is included in embargoed briefings on the budget. We weren't included in embargoed briefings on this bill.

So, Mr. Speaker, thank you very much for your patience. Those are the submissions I wanted to make.

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

MR. STEVENS: Thank you, Mr. Speaker. I rise to deal with the statement of facts that's contained in the tabling from the Member for Calgary-Buffalo and his statement of facts that was given orally here this afternoon. It seems to me that the hon. member referred to fairness when he was talking in terms of laying everything before you, sir, as it related to argument. The same should be true with respect to the statement of facts. When I look at this statement of facts, what I see is not only a statement of facts but a statement of facts omitted. So what I wish to do is to speak briefly to some of those material omissions of fact which should be on the record.

The briefing in question did take place over the noon hour on March 2. It was set up exclusively for the media. It was a technical briefing. I had some involvement in drafting the Health Care Protection Act, so I and others from Alberta Health and Wellness attended this technical briefing.

The technical briefing was embargoed. In other words, the information was provided under certain strict and specific conditions. One of those conditions was that a draft of the Health Care Protection Act was provided to the media. The draft legislation was marked "draft." It was provided to the media on the basis that it would be returned by the members of the media when leaving the briefing that afternoon. To my knowledge that was done. It was also clear that the purpose of the technical briefing was to provide an understanding of the legislation in question. That was the purpose for it.

I notice on page 2 of the tabling by the hon. Member for Calgary-Buffalo, and I believe he repeated words to this effect in his presentation this afternoon:

Ms MacBeth then asked the Member for Calgary Glenmore, who was apparently chairing the meeting, whether she could stay. The Member for Glenmore replied she could not stay. She then exited the room.

Now, both of those statements are correct, but there was an intervening passage of time between my comment and the exit. The hon. Member for Calgary-Buffalo was present at the time, and I must say that the absence of an explanation of that intervening period of time strikes me as being unfair.

Be that as it may, members of the media at the briefing had a

discussion regarding the request, and it appeared to me that the media assumed ownership of this particular issue. A discussion ensued. Comments were made among members of the media, and I observed that members of the media determined that it was not appropriate for the hon. Leader of the Official Opposition and those attending her to stay in the room. The hon. leader, to my knowledge, was privy to this discussion, as was the hon. Member for Calgary-Buffalo, and was specifically requested to leave by the media. From my vantage point the exit was following the direction of the media.

Now, my background, Mr. Speaker, is in law. There is in law a contempt application, and in law the rule is that it is a very serious application. In law it is incumbent upon the person who brings the application to be studious in putting forward accurately the facts upon which such an application is predicated. In this particular case I think it is material that the media had that discussion. It is material that they assumed ownership of it. It is material that they made a decision. It is material that they told the Leader of the Official Opposition that she could not remain. From my perspective, it is material that it is absent from this statement of fact that was tabled and it was absent from the hon. member's recitation of facts here today.

Those are my comments, Mr. Speaker. Thank you.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. We have before us a very serious allegation of breach of contempt and breach of privileges of the House, and I think it's important to be clear as to what's happened. I thank Calgary-Glenmore for adding his personal knowledge of the information.

In fact what he's indicated is that there was a technical briefing and a news conference on March 2 and a media notice went out to the media inviting them to it at 12:15 p.m. and it was "an embargoed technical briefing of the legislation, for members of the Legislature Press Gallery." The notice said:

The technical briefing will be immediately followed by an embargoed news conference with the Premier and the Minister of Health and Wellness at 1:00 PM.

The technical briefing is not for attribution. It is not an on-camera session and recordings are not permitted. Materials provided during the technical briefing cannot be removed from the TV Room and must be returned at the end of the session. Media are not allowed to discuss the contents of the material with anyone outside of the TV Room until the embargo is lifted.

The embargoed news conference is for attribution and recording is permitted.

The embargo is in effect until the Minister of Health and Wellness formally introduces Bill 11 in the Legislative Assembly.

This is scheduled for approximately 1:45 PM.

I'll table copies of the news release for the record. So what we've had, what the issue is here, is an embargoed technical briefing, an embargoed news conference with respect to Bill 11.

I think it's common knowledge now that a letter was sent to the Leader of the Official Opposition and to the interim leader of the New Democrat opposition inviting them, if they so desired, to have their own technical briefing on Bill 11. Instead of taking advantage of that opportunity and calling back, they chose to stage an entrance to a private, embargoed meeting. They had not asked if it was appropriate for them to attend it, and they had not agreed to the terms of the embargo.

The media present were asked for their determination, as the hon. Member for Calgary-Glenmore has indicated, and the media decided that it was not appropriate. The president of the press gallery has advised me by note that he was the one who told the Leader of the

Official Opposition that she was excluded from the technical briefing and asked to leave. I can provide copies of that note for the records of the House.

3:20

The decision, first of all, as to whether she could stay after she had staged her entrance to a private, embargoed meeting was left to the media, and they made the decision and advised her to leave. It was clearly a private meeting, for which those present had agreed to terms of an embargo. The Leader of the Official Opposition was clearly not invited to the meeting but had been invited to her own briefing. She clearly staged the event, with cameras following her, with other members of her caucus, who then chose, I would submit to you, to use inappropriate and inflammatory language to try to create a media event.

The long and short of it, Mr. Speaker, is that an incident which happened outside of the Chamber, outside the purview of the Speaker, only exhibited bad form on the part of the Leader of the Opposition and is not a breach of privilege or contempt of the House.

Much more serious, Mr. Speaker, I would suggest, is the allegation of assault which was made in this House against a member of government staff relating to that, for which no evidence has been brought forward today. No apology has been made for that allegation, and I think that's a much more serious allegation, which should be dealt with.

With respect to Bill 11. At the technical briefing, as the Member for Calgary-Glenmore has indicated, a draft copy, stamped "draft," was distributed for the purposes of allowing the technical briefing to proceed and for people to go through the bill. It was distributed under the terms of an embargo: that it not be on camera, that recorders not be permitted, that materials not be removed from the room, and that people who'd agreed to the embargo would not discuss the contents of the material with anyone outside the TV room.

Draft bills have been circulated to the public in the past for discussion, for comment, for input. In fact, this government is known for its consultation process, its consultation with the public. Bill 40, or its predecessor, was circulated to the public. The health protection act was circulated to the public in draft form. In fact, Bill 202 in this Legislature session, it's my understanding, was distributed to the public in its final and printed version prior to its introduction in the House. No question of privilege was raised with respect to that matter.

Consultation, as I've said, has been the hallmark of this government. In fact, since I've been House leader and I know that my predecessor as House leader as well – we have encouraged all members of Executive Council to meet with their opposition critic prior to introducing legislation to discuss the contents of the legislation with them so that they would be well informed prior to it entering the House. I know that doesn't happen in all cases, but I know that it has happened in some cases, and the opposition has never complained about that particular practice.

*Beauchesne* 31(10) clearly allows such things as technical briefings.

"The question has often been raised whether parliamentary privilege imposes on ministers an obligation to deliver ministerial statements and to make announcements and communications to the public through the House of Commons or to make these announcements or statements in the House rather than outside the chamber. The question has been asked whether Hon. Members are entitled, as part of their parliamentary privilege, to receive such information ahead of the general public. I can find no precedent to justify this suggestion."

The Opposition House Leader had indicated in his comments, I believe, and certainly in his written argument which he filed that a bill on notice was the property of the Assembly. That's one of his contentions. In fact, Mr. Speaker, a bill on notice is not the property of the Assembly until it's introduced. Just because a bill or a motion has been put on notice does not mean that it has to be proceeded with. It does not mean that a member of Executive Council or any other member of the House has to bring that motion forward when called. In fact, bills don't come forward until they're actually put on the Order Paper by government. So just because it's on notice does not mean that it is the property of the House.

Clearly it's in all members' interest – and this goes to the root of the question of whether an embargoed discussion on a bill prior to its entry into the House is appropriate. As I understand, a breach of privilege is about whether somebody has been interfered with in their ability to carry out their duty as a member. Clearly, in order for members to do their job as members, what makes it easier for us to carry out our duty as members is if the public is well informed.

Was the bill released to the media prior to it being entered in the House? I would submit, Mr. Speaker, that it was not. There was certainly a review. There was certainly a technical briefing. But released? No, it was not released, because first of all they were not allowed to have it in their possession when leaving the embargoed conference. They agreed not to discuss it, not to interview on it, not to do anything with the information until it had been introduced in the House. That does not constitute a release.

The practice of this government has been to be open and forthright with the people of Alberta, to involve them in the discussion of public business in a meaningful way, and the hon. Opposition House Leader in his argument both in the written argument and his statements today has indicated quite clearly that that in fact is what has been going on. We have had a much more modern approach to discussion of the public agenda now than ever in the past. So, yes, the contents of the Speech from the Throne, for example, what is discussed in the Speech from the Throne, is not a surprise to the public and should not be a surprise to the public. The contents of a budget are not a surprise to the public and should not be a surprise to the public, and I would suggest that the contents of discussion of issues, bills that come before the House are not a surprise. In fact, Bill 11 and the contents of Bill 11 have been well known for a long time. In this House in question period the Premier, in response to questions, has been outlining exactly what is in Bill 11 for the members when they ask their questions.

What's happened is that a bill has come forward embodying exactly what the government has been saying, and for the purposes of better informing the public, a technical briefing was held. That briefing was embargoed until the actual bill was tabled in the House. No harm has been done to the privilege of members in this House. In fact, we've all been well served, because we serve the public, who should be well informed in order to give us their suggestions, ideas, and comments before we get into debate on a bill.

Thank you.

THE SPEAKER: Hon. Member for Calgary-Buffalo, this is not retraction time or debate time. Do you have something further to add to this point?

MR. DICKSON: I was going to add simply two very quick points, Mr. Speaker, if I might.

The first one is that the Member for Calgary-Glenmore talked at length about the media and what they decided and what they didn't decide. I didn't see an election when I was there; I didn't see a vote. The point is this. We are talking about the role of members and the

role of this Assembly, and it's surely for this Assembly to decide who gets access to bills and what the rules are going to be, not members of the media. They have their role, which is an important one, but it's wholly collateral to the role of the members.

The other point I'd just quickly make is this, sir. This is not a question of looking at a draft of a bill two months before the session starts. This is minutes before the bill is in fact passed out for first reading. To talk about the public consultation, that is over long before we get to that stage.

Those are the observations I wanted to make, Mr. Speaker. Thank you.

THE SPEAKER: Hon. Member for Edmonton-Glenora, on this point?

MR. SAPERS: Yes.

THE SPEAKER: Of privilege?

MR. SAPERS: Thank you, Mr. Speaker.

THE SPEAKER: Please, citation and everything else.

MR. SAPERS: Thank you. I'd comment on the facts as I understand them, Mr. Speaker. First of all, judging by the invitation that came out to members of the press gallery, it was clear that this was a meeting that was set up by the government, not the media. So it's really irrelevant what the pleasure or displeasure of the media was during that meeting, since it was at the government's beck and call that they were there.

3:30

A second point I'd like to remind you of, Mr. Speaker, is that there was some mention made of the fact that this was an embargoed session, as though that would give it some particular meaning. I will remind the Chamber, of course, that there is precedent of having opposition members present during embargoed sessions. It happens with the budget.

Mr. Speaker, the third point I'd like to make is that this infamous invitation to the Leader of the Official Opposition to participate in a briefing came at 12:28, hardly time to respond in a formal way, and the government would have you and everyone else believe that there had been no response and that there was no response intended. In fact, I think the willingness of the Leader of the Official Opposition to participate in a technical briefing at the earliest opportunity is evidence of a response.

I will make a further comment with regard to the House of Commons ruling in a similar matter recently and will note that the Speaker in Parliament referred to the role of experts in the creation of legislation. I think that while it's true that the media have a role to play and they may be expert journalists, I don't believe that members of our press gallery are content experts in health care. So I think that there is an important distinction to be drawn between what happened in the House of Commons and what has happened here in Alberta.

Finally, Mr. Speaker, I would ask that you consider the possibility that a ruling that the members of the press gallery should be privy to public bills on any basis ahead of elected members of this Assembly – I'd ask you to reflect on whether or not that would be ascribing to members of the press gallery, who come and go at the whim of their employers and not of the electorate of this province, whether that would be giving them privileges well beyond the privileges in

certain cases of elected members of this Assembly, who represent the taxpayers and the electors who sent them here.

Thank you for allowing me to participate, Mr. Speaker.

THE SPEAKER: Hon. members, we're dealing with this matter under Standing Order 15, a case dealing with privilege. Standing Order 15(6) states:

The Speaker may allow such debate as he thinks appropriate in order to determine whether a prima facie case of breach of privilege has taken place.

I'm quite prepared to hear any and all arguments that the hon. members want to make with respect to this matter before resting.

Well, then, hon. members, I'll take all this information which has been provided to me here this afternoon under advisement and would hope to return to the House tomorrow at the conclusion of question period with some kind of assessment after consultation with the appropriate authorities and experts. It would probably not be of great benefit now, having given all hon. members an opportunity to make their comments known and to make their comments known through *Hansard*, for me to receive in the ensuing hours bits of paper and other annotations and anecdotes with respect to this matter. I've probably received enough, having given the House opportunity and warning last Thursday to come prepared today, so I need not receive a fax at midnight or 3 in the morning on this matter.

head: Orders of the Day

head: Government Bills and Orders

head: Second Reading

### **Bill 12 Appropriation (Supplementary Supply) Act, 2000**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It's my honour and privilege to move for second reading Bill 12, the Appropriation (Supplementary Supply) Act, 2000.

The act has had discussion in Committee of Supply, so it's of no surprise to the members of the House that the supplementary supply asked for under this bill serves Community Development, Environment, Health and Wellness, and Justice, for a total sum of \$31,103,000 plus nonbudgetary disbursements to be voted under section 2 of \$1,470,000. We've had good discussion in Committee of Supply on the rationale and the reasons behind the need for this supplementary supply, and I would commend it to the House for their approval.

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

MR. SAPERS: Thank you, Mr. Speaker, and thank you colleagues. We have had some debate in committee on this supplementary supply request, and unfortunately the debate didn't provide answers to a number of questions. This is a circumstance that members of the Official Opposition find themselves in all too often. We have asked that at the very least some explanation of how this new spending will contribute to meeting defined outcomes and performance criteria, such as reducing health care waiting lists or opening up hospital beds or reducing classroom size, be brought into the debate. We have asked the members of cabinet who will be spending this money to explain the relationship between these additional dollars and the outcomes that Albertans can expect for the expenditure. We haven't been given any answers. Now, that makes it very difficult to support Bill 12.

We recognize, of course, that funding is needed in these areas, particularly in health care, but we would like to make sure that new funding, particularly in health care, goes to meet the needs of Albertans and not the needs of the government.

[Mrs. Gordon in the chair]

If it's not clear what that distinction is, Madam Speaker, I'll explain it like this. There are Albertans who are waiting in pain for access to surgical services in this province. Frankly, those Albertans don't really care, while they're waiting in pain, about this debate in the Legislature. What they want is quick access to the public health care system that they've helped to build and to pay for all of these years. So they would expect that their elected representative would stand in this Chamber and with alacrity and dispatch vote in favour of any supplementary supply request which would open up more access in the health care system.

I'd be happy to vote that way, Madam Speaker, but you see, I have this nagging suspicion that this money won't be used to relieve that pain and suffering, that that money is instead going to be used to further a propaganda campaign of the government when it comes to promoting its very narrow agenda. Earlier today in question period the question was put several times to government regarding the cost of their campaign to convince Albertans that they are wrong to question the government, and the government didn't answer the question. So while we're being asked to vote a supply of some tax dollars to government, how can we be certain and how can we provide certain answers to our constituents that this money won't be used for the wrong purposes?

In previous debates about interim and supplementary supply we've had government members stand up and try to intimidate the Official Opposition by saying: are you going to vote against spending on a long-term care centre here or there, and are you going to vote against a school renewal project here or there? While we're on the topic of school renewal projects, I can't tell you how happy I am to see the allocation go to Westminster junior high in my constituency. It will be money well spent. Maybe they'll be able to finally open the windows without the window frames crumbling. Anyway, I do digress, Madam Speaker.

The issue here is that of course no member of the Official Opposition would speak against or vote against appropriate accountable spending on identified priorities. But what we also won't vote in favour of is willy-nilly spending based on some political barometer of the provincial government without the appropriate accountability measures being put in place.

Now, in case anybody is concerned that maybe I'm overstating my case, Madam Speaker, let me just remind the Assembly of a couple of facts. First of all, this current Treasurer has brought in more supplementary supply requests than the previous two Treasurers combined, I believe, and if not exceeding it then certainly darned close to exceeding that total.

3:40

This is a particular problem because we have a government that likes to pride itself on its business acumen. This is a government that talks about its reliance on the private sector, even when it comes to dismantling the sacred trust of health care. This is a government that likes to pride itself on small government and on making sure that there's just no more government business being involved in business. Yet I can't imagine a business that would actually operate the way that this government does. I can't imagine a business that would be successful if they were so far out on their financial forecasts.



It's easy for this government to look like fiscal heroes when you have oil at two or three times the price it was a year ago. It's easy for this government to look like fiscal heroes when you have a federal government that has been passing along real tax relief to all Canadians for the last couple of years. It's easy for a government to look like fiscal heroes when the world economy is such that you will benefit if you are an exporting economy, such as Alberta is. While the government wants to bask in the glow of all of this good fortune, they can hardly claim to be responsible for it. What we do, however, ask the government to be responsible for is their own spending plans and the accountability measures that should be put in place.

Now, I won't bore the Assembly by reciting all of the concerns of the Auditor General over the past couple of years when it comes to government reporting, and I certainly won't retell the story in this Chamber about the need for a fiscal stability fund, but I will comment briefly that the government has made some moves recently that should give anybody pause for thought when it comes to whether or not this government is capable of keeping its word. What I'm referring to, of course, is the Fiscal Responsibility Act.

The Fiscal Responsibility Act would have seen a 75-25 percent split in how the surplus was used within a year, and that split of course was going to be: 75 percent of the surplus towards debt, 25 percent to within-year program spending. Well, what's happened, quite apparently, is that the government found that their law, which was, I guess, set up to try to convince some people that they were going to be tough and aggressive about the debt, became inconvenient politically. So at the very first opportunity what the government did is they scoffed at their own law, repealed it for the time being, and then – and they'll never say this in the Assembly – they followed the lead of the federal government, which said that it would be much more reasonable to look at a balance, more of a 50-50 approach, in terms of how the surplus was spent, some towards debts, some towards program spending. In fact, that's what this government has done. They've allocated spending much closer to that 50-50 formula.

So we can only look at the government's words and then their actions and then judge whether or not they say what they're going to do and they mean what they say when they say it. I'm not convinced, Madam Speaker, that this government does mean what they say when they say they're interested in being open and accountable. I'm not convinced that they mean what they say when they want to tie spending to performance measures and outcomes, and I'm certainly not convinced that they mean what they say when it comes to providing a balance to Albertans when it comes to the expenditure of their tax dollars. In fact, what we've seen is that this government wobbles back and forth between frenzied cutting and frenzied spending, and of course in between all that wobbling are the taxpayers of this province, who tend to get bounced off the walls as this wobbling government bounces them from pillar to post.

What we would much prefer is some stability, and that of course ties into earlier comments that I've made and my colleagues have made regarding the fiscal stabilization fund. After all, if you ask anybody in business in this province, anybody that provides a public service in this province, what they'll tell you is that stability is the key to their planning and their success. We can only expect that same stability from the provincial government.

Madam Speaker, I've talked before about economic and fiscal strategy reports, using long-term trends as far as 10 years. I've talked about annual performance reports that have meaningful measures. I've talked before about monthly budget updates instead of quarterly updates and of course about the fiscal stabilization fund. We have yet to see a satisfactory response from anyone in government to these matters, yet what we see time after time after time are

more and more requests for this out-of-budget, unplanned spending.

Will the money be put to good use? We can only cross our fingers and hope for the best. We know that there has been some identified spending in Community Development, in Environment, in Health and Wellness, and in Justice. We certainly hope that the money will be tracked. We hope that the government will break with its tradition of just trying to pretend that they've done the right thing with this money and actually report on it in ways that the Auditor General will be happy, and we will look forward, I suppose, to next year's report. Of course, it's a year late. We really won't have an opportunity until it's all over, but we'll look forward to next year's report and to seeing whether or not this government has the capacity to listen and learn and whether or not they will respond to these very responsible suggestions that come through the Official Opposition but, I'll emphasize, really on behalf of Albertans.

These ideas to improve the budgeting process and to improve performance measures and to ensure that tax dollars provide valued services are not inventions of the Official Opposition. They are the considered responses of Albertans when we have met with them and talked with them and listened to them about what it is they expect from their government.

So while the government may think that they're being clever in ignoring the Official Opposition, what they're really doing is snubbing the taxpayers of this province. They should not be so cocky as to think that they've got the monopoly on good ideas, and they should clean the wax out of both of their ears and not just listen to those Albertans whom they believe voted for them, but they should listen to all Albertans because, after all, it is each and every taxpayer's dollars that they are spending.

Madam Speaker, I've heard the Premier say in this Assembly just a few short days ago – I think he made reference to the 70 percent of Albertans who voted for the government, an unbelievable suggestion. Unbelievable for two reasons: one, because it's not true; secondly, because it is remarkable that a government would be so awash in its own bathwater that it would think that they have this huge majority support in everything they do.

I'm here to tell you, Madam Speaker, that that's simply not the case and that the government really should start listening. They've taken some really, really good ideas from the Official Opposition in the past, and while they still have their hand on the reins, it wouldn't hurt my feelings if they took these really good ideas too and tried to market them as their own, as long as they get on with doing the right thing.

I'm confident, Madam Speaker, that the Alberta Liberals will have their opportunity to put their own ideas to use in good time on behalf of the people of the province, but in this short interim period before we get that chance, I would ask the government to seriously consider these changes to the budgeting process and the financial accountability process. I'm convinced that if they do, we'll all be better served.

Thank you.

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

MR. DICKSON: Thank you, Madam Speaker. Just a couple of observations I wanted to make. I had appreciated the other night, when we were dealing with the estimates, that the Minister of Justice with his customary forthrightness assisted us in understanding the Justice operating expense and capital investment of \$5.7 million. But since we have the opportunity here in terms of dealing with the bill, I just wanted to remind the minister that notwithstanding his explanation the other day, I still have some concerns with what we're doing with the new court reporting system.

Madam Speaker, I just want to go back and say again that the

Minister of Justice and his department have chosen a new approach to court reporting, and they've done that without consultation with the Canadian Bar Association. They've done that without prior consultation with the Law Society of Alberta. They've done it without prior consultation with the men and women who make up the Court of Queen's Bench of Alberta, the level of court that most typically hears civil actions.

3:50

The minister has given us some information I didn't have before. I understand that now we're looking at the Halifax technology, but I continue to have the concern that when the requests for proposals go out, which I understand to be imminent or at least within a matter of months, the province isn't wedded to a particular technology. We know the problems that have existed – and we talked about this in estimates – in a number of U.S. jurisdictions, and there's no difficulty finding lawyers and court reporters and judges in the province of British Columbia that were not particularly impressed with the experiment there. The Minister of Justice says that we're going to use better technology, but I would have felt more comfortable if I'd felt that there had been a degree of support and buy-in from the men and women who are actually going to be directly affected, the men and women who practise in our civil courts in particular and the men and women who occupy positions on the bench.

The other observation I make is that unless we're able to be very, very lucky indeed and have an excellent type of technology, which maybe is going to be a little more expensive than some of the technologies other provinces have tried to get away with – short of that, we end up with that situation where the well-heeled litigants, the two resource companies in Calgary, will continue to go out and hire top-notch court reporters who will come in and make a very excellent transcript of every word and virtually every breath that's taken in the course of a civil trial, but people involved in that smaller matrimonial property action or personal injury claim or one of those things aren't going to be able to afford that.

I just register again the concern that we end up with a degraded quality of court reporting for litigants of modest means. It's a concern. We've raised it before. Hopefully the Minister of Justice will be reviewing that carefully, but I do think that we have sort of lurched into this process without adequate consultation, and one always gets a little nervous when we don't see the appropriate kind of consultation at the front part of the process. The minister has been certainly chided in this House, urged, prompted to do more of that. I'm always the optimist, Madam Speaker. I'm hopeful he's going to follow up and make sure that the technology is first-rate, but it has been very troublesome in terms of the way the idea was announced in the early stages. I'm going to be watching carefully and I think many other Albertans are going to be watching carefully to see what impact it's actually going to have on the quality of reporting.

I just make that observation, and this isn't, to be fair, something to dump in the Minister of Justice's lap, because he's relatively new to cabinet. I think in a government that could perhaps be characterized this way, a government where since 1993 virtually every single decision has been based on how cheaply any service can be provided, not what the impact is going to be, not the quality, and not what the outcomes are going to be, just how cheaply the service can be provided in the current budget year, there is huge, huge suspicion, and I don't think it's just shared by members of my caucus. I think it's shared by a lot of Albertans out there that we're sort of forgetting that government is also about providing quality service, and court

reporting is one of those things that warrants nothing less.

Thank you very much, Madam Speaker.

[Motion carried; Bill 12 read a second time]

**Bill 2**  
**First Nations Sacred Ceremonial**  
**Objects Repatriation Act**

MS CALAHASEN: Thank you very much. Madam Speaker, it is a great privilege today to rise to move second reading of the First Nations Sacred Ceremonial Objects Repatriation Act, Bill 2.

This is a brief act intended to accomplish three important things. First, the act establishes some very basic principles that will enable, or allow, Alberta to legally repatriate sacred ceremonial objects. This is very significant, Madam Speaker, because it sets out the very principles that will allow us to be able to do the right thing, which is what I think is needed to be done relative to this, the repatriation of sacred objects. I know that many times in talking to the elders as well as First Nations leaders in the past 10 years since I've been elected – and I'm sure previous to that – there has been a real need to be able to establish that and for them to be able to do this. I really appreciate the fact that we are at least moving in that direction, and I think it's a very important principle for us to be able to ensure that these things happen.

I really appreciate the fact that the Leader of the Official Opposition has indicated that there will be speedy passage to this. I think she also recognizes the fact that this is something that needs to be done and to really make sure that we continue to move in that direction.

Second, the act sets in motion a consultative process in which staff members from Alberta Community Development as well as Aboriginal Affairs will work with First Nation communities to learn how they would like to proceed with the treatment, loan, or repatriation of sacred ceremonial objects as communities themselves wish. This is a very important principle, Madam Speaker, from the perspective of the aboriginal community. First of all, they have indicated that, whatever happens, with anything that is going to be repatriated, it must be taken with great care, that they have to be ready within the communities to be able to accept these objects once they have identified them and be able to ensure that they're going to be kept in a safe place. It's very, very important that whatever we do, we work with those communities and we continue to work in that vein. They feel that it's a very important concept in order for us to be able to move in that direction, and they'd like to see this done in the right way. Coming from an aboriginal community, I appreciate that fact. Many communities in my constituency have felt that whatever we do, we have to put those processes in place.

Finally, on January 14 the Premier committed this government to amending the Glenbow-Alberta Institute Act so that 251 Blackfoot sacred ceremonial objects could be completely repatriated to the Blood tribe, the Peigan Nation, and the Siksika Nation. The act does this, Madam Speaker, and I believe that with what has happened in the Peigan Nation – my colleague from Livingstone-Macleod has had some hand in that respect, and I know he'll want to speak on some of these issues. I think it's a very significant act that we're doing and what needs to be done in order for us to be able to continue to work with the First Nations and to work with the communities that are going to be affected by this act.

The sacred ceremonial objects in these institutions have for some time been part of two worlds, Madam Speaker, one of museums and collections and one still reflecting First Nations' traditions. We've had such great working relationships with some of these groups, and

they've also worked very closely with many of the First Nations. Examples would be the Provincial Museum of Alberta and the Glenbow. They've really worked very well with First Nations, and I commend them for the way they've been able to do the work that they've done to date, and I'm sure they'll ensure that they continue to work with the First Nations in the repatriation of these sacred objects.

By returning the sacred ceremonial objects, which are vital to the practice of traditional ceremonial life today, I believe Bill 2 sets us on a new and even more promising course in the year 2000, this millennium, Madam Speaker. I believe that Bill 2 certainly sets a course for aboriginal people.

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

MS OLSEN: Thank you, Madam Speaker. I, too, rise today to speak in support of Bill 2. I think one thing we have to understand is that for those who practise or have any religious base or spiritual practice, there are certain elements that come with that. I think it's very important for the aboriginal community to be able to have in their possession those elements that are critical to the practice of their tradition and their faith. I guess I think it's akin to Catholics having Easter without Lent – some do, I suppose – or Communion without the Host or saying the Rosary without the rosary. Those are all things that are part of the Catholic tradition, and you possess those items in order to carry on with your faith or your religious practice. I think this is important for that purpose.

4:00

It's also important because over the last few years we've seen the First Nations communities going back to their traditional practices and introducing their young people to some of those practices. I think that's an essential component of this. I certainly have talked to many, many young aboriginal people who have no idea what the traditions and practices of their band or tribe are. I think it's important to be able to increase that awareness for the youth, and I think this particular bill will help to do that.

I think it's important to note that in the preamble, under what I would state as the set of principles, the items desired for return are those "that are vital to the practice of . . . sacred ceremonial traditions." That's important because there are a number of artifacts in museums across this country and certainly in this province. Some of those artifacts are artifacts that have come from a time that speaks to the history of this province. They may be First Nations artifacts, but they may not be critical or vital to the practice of the sacred ceremonial traditions. I think that's an important delineation, because some of those artifacts will in fact remain with the current museums and those places. So it's not an attempt to take all of those items which have been in the possession of different museums and galleries and give them all back to the community.

I would like – and I think it's important – to talk about this as an educational process for the young people. I would be interested in seeing the regulations tabled in the House – I guess I'm as curious as many people to know what the artifacts are – so that we may all be enlightened by the regulations and the schedules just for our own knowledge, and certainly they're then accessible in an easy manner to all Albertans. I think that would be important.

I notice that the process that's laid out under section 2 is laid out with ministerial control. I think that's one of the reasons I'd like to see the regulations tabled. Also, of course, I may have to just for tradition itself put through our amendment on Law and Regulations. That's a standard tradition in the House. I would be remiss as a

legislator and a member of the Official Opposition if I failed to do that. We're talking tradition here, and this is a long-established tradition that we have in this House. We'd like to do that. [interjections] Well, it may be sacred to the Official Opposition. In fact, democracy is sacred to us, and that's why we want to put those regulations on the table.

Maybe the hon. minister can commit to tabling the schedules and list those artifacts for us and tabling the regulations so we all know what they are. If, of course, the hon. minister isn't going to carry on the tradition of the government side and, you know, would like to convene a meeting of the Law and Regulations Committee, maybe it's time to break that tradition, and we could all sit down and have a look at those regulations.

Madam Speaker, with that I am very pleased to see this legislation come through. I think it's an important and historic moment in the Legislature in recognizing the spiritual needs of the aboriginal community, the First Nations community in this province.

The other thing that I think is important to recognize, Madam Speaker, is that ceremonial objects are important to different groups within certainly different cultures. It must be noted that these are artifacts of the First Nations community and that there is a difference between First Nations and the Metis community. Some of those traditions that are just assumed to be the same in fact are not. So I think that's an important part of all of this as well. Hopefully, this will provide an education to all members in the House and to all Albertans. Some of those delineations will be marked, and we will be much wiser for that.

Thank you, Madam Speaker.

THE ACTING SPEAKER: The hon. Member for Livingstone-Macleod.

MR. COUTTS: Thank you very much, Madam Speaker. It's a pleasure to rise today and fully support Bill 2, the First Nations Sacred Ceremonial Objects Repatriation Act. I have had considerable involvement with First Nations ceremonies and some of their traditions over the years, having lived in Fort Macleod and having had the Peigan Nation to the west of me and enjoying many of those people from the great Peigan Nation and also my association with the Blood tribe. I was pleased to see that the Blackfoot confederacy came forward with this whole idea of repatriation, and it was called the Blackfoot agreement.

Now, as I'm a representative of that area, I have the Blood tribe and the Peigan Nation in my constituency, and it has brought home a lot of those things that I learned as a young boy working with and dealing with both of those great nations. The whole idea of giving back the sacred ceremonial bundles or, as they're referred to in the act, objects – and I will refer to them as bundles – to the First Nations has a special significance. I think it's very, very important to note that our museums, the Glenbow particularly and our Provincial Museum, kept these bundles for several years and held them because of their value, and now they are in a position to be returned back to their appropriate places under the condition that they be kept in a safe place. That is probably the most important part of this bill, because they will be referred to for generations to come.

Inasmuch as it means something to everyone on both reserves, particularly the Peigans and the Bloods, it has great significance for seniors. It has tremendous significance for the young people who have not grown up in, as our aboriginals say, the old ways. But, more importantly, it has a greater benefit to the young people who are growing up, and they will have a true education on where they came from. Each and every one of us likes to look at our ancestors and our lineage. We like to know where we came from, and these

bundles definitely provide some of the secrets to the past of our great aboriginal nations.

4:10

Why is repatriation important? As I said, the bundles have meaning. Ceremonial bundles might not apply to today and they might not be necessary for the way of life, but originally they had a tremendous influence on the way of life of a particular aboriginal tribe. The bundles held significance. They held significance as far as wealth, as far as justice, as far as how a particular village might maintain its health. A ceremonial bundle also meant food, clothing, and shelter as it paved the way to go out and find the buffalo and push them over the edge. It also meant a lot about their transportation.

For health the bundles would contain certain objects that would provide secrets into certain herbs and certain plants that they could use to correct diseases amongst their people. In the justice bundles there would be certain objects that would pave the way of life for the people, and in their ceremonies they would use those objects to show what was right and what was wrong. The objects that came in children's bundles and youths' bundles would show a pattern of how the society developed and maintained itself.

As I said, the biggest things, of course, for any aboriginal tribe originally were food, clothing, and shelter. The spirit rock would be part of a bundle, and that would show the young runners exactly where the buffalo were. All of those things – food, clothing, and shelter – came from one thing, and that was the buffalo, and the buffalo was sacred to the aboriginal people. Back in the dog days – and that was before the coming of the white man and before the coming of horses and other modes of transportation – they would have bundles that would guide them on their journeys around the prairies that would offer them the food and the water and that type of thing. All of these bundles were of a ceremonial nature, but they also planned how a tribe would go through its fiscal year.

These bundles were representative of a way of life. Each portrayed by ceremony a decision and an action, and accumulatively they formed the basic symbols of how aboriginal people governed themselves, sustained their way of life, and maintained and controlled themselves as a society. All societies have basic principles and fundamental guides that help them form a firm foundation on which they continue to serve, build, survive, and sustain themselves, and although they were highly traditional, they meant a tremendous amount to the people. It guided them through life's journey, very, very similar to what we do today on this front bench with our department of health, our Department of Justice, our department of social services, our department of transportation, et cetera. They mean exactly the same things to us today as our symbols as what they did to aboriginal people.

Giving these bundles back to our aboriginal people is a great step in reaffirming our commitment to one society working together so that they can maintain and teach where they came from. I think this is the very basis of a very sound partnership. This is the very first step in a very sound partnership with First Nations communities. In my own region I know what Head-Smashed-In Buffalo Jump and the interpretive centre there has done for fostering understanding and getting rid of cross-cultural differences. It has gained a respect between the two cultures to work together.

I would like to thank the members of the Peigan Nation and all of the elders, particularly Joe Crowshoe Sr. and his son Reg Crowshoe, for bringing me into contact with the significance of what these bundles have meant, and the chief and the councils of both the Peigan Nation and the Blood Nation. It is my hope that with the passage of this bill – and this is why I'm so supportive of it – we can

promote the living traditions of First Nations communities not only in my constituency but across the province. I believe that Bill 2 holds that potential and merits our support, and I wish all nations, when the repatriation is done, all the very best in securing those bundles in the name of the people that they represent.

Thank you.

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

MR. DICKSON: Thank you, Madam Speaker. I was looking forward to the opportunity to join debate on Bill 2, a bill that I certainly support. It strikes me that Bill 2 represents something of a maturation in our community, that we've come to the point of recognizing how appropriate it is that these sacred ceremonial objects be in fact returned to First Nations. I think it's a very positive thing. The fact that we have schedules dealing with the Blood, Peigan, and Siksika nations is a very significant step. I'd like to acknowledge the role played not only by aboriginal leaders in this province but also by the Glenbow Institute in Calgary. The Glenbow has probably one of the largest collections of artifacts in North America, particularly when we're dealing with the First Nations who lived in what was this great prairie region of western Canada.

I think the Glenbow has provided some really instructive leadership in terms of their recognition of the importance of dealing with repatriation. I'm not sure it's always an easy thing for an institution that has a reputation like the Glenbow does and this vast, vast collection. You're focused always in terms of acquisition and building the collection and showing the collection. This is something very different to talk about, in fact taking elements of your collection and turning them back. So I appreciate that leadership that's been provided by the Glenbow.

4:20

The one concern I'd register as I look at it is that the minister has to agree. We don't know who the minister is going to be. It will be the minister designated under the Government Organization Act. But when you look at section 2 – and I won't get into a really detailed analysis now of the bill – what one sees there is:

- (1) A First Nation may apply to the Minister . . .
- (2) The Minister must agree to the repatriation . . . unless, in the Minister's opinion, repatriation would not be appropriate.

Now, there are absolutely no criteria set forward on which that minister should base this, exercise his discretion. I think it's a pretty fundamental rule of administrative law that you typically don't give an individual, a minister or an administrative official, just discretionary power without giving some guidelines, some elements, some tests to use when and how that discretion should be utilized. I always find it offensive when I see it in a bill. I'm not sure that the First Nations people of this province would like to think that a minister – a minister – can say yes or no. "I exercise my discretion; I choose not to exercise my discretion, but I don't have to tell anybody on what criteria, on what basis, I've used that discretion." It seems to me that it's offensive, because it flies in the face of a spirit of generosity that animates all the rest of this bill. Madam Speaker, help me figure this out. How is it that a bill that is such a terrific idea and that is probably so widely supported would have this sort of retrogressive step with a minister having all this discretion?

Now, I'm reminded that maybe regulations may address it. I see the chairman of the Standing Committee on Law and Regulations is here, and whenever I see the Member for Banff-Cochrane, it gladdens my heart to know that there's always a prospect that Law and Regulations may be activated. I'm hopeful that the minister will give this member a chance to wrestle with some of the regulations. You know, the minister who spoke to the bill earlier on I think in jest

had said: why would you want the regulations under this bill to be subject to the Standing Committee on Law and Regulations? What better bill to do it? A bill that not just the people in this province look at but people across the country and perhaps even beyond. This is the kind of bill that makes you proud to be an Albertan; doesn't it, Madam Speaker? You see this bill, and it makes you think: hey, this is a terrific thing that we do in this province.

You know, I've not been known to always be lavish in my praise of the government. I perhaps have been accused of being parsimonious in my praise of positive things that the government in this province has done, but I've got to tell you that this is something I'm very happy to support. I'd like to make it even a little stronger. The Minister of Community Development, you know, the man responsible for the Human Rights Commission, I'll bet he's probably a little offended by that section 2 as well and the fact that this discretion is given to a minister without any criteria set out there. Maybe the Minister of Community Development will work with me. The Minister of Justice understands the problem with having unfettered discretion. Maybe we can develop a small cross-party caucus here to work at fixing the problem in section 2. If we could do that, we could take a bill that's darn good and make it closer to being perfect.

So section 2 has got two problems with it. The first one is that repatriation has to be appropriate in the minister's opinion, whatever the heck that means, and then it also has to be "in accordance with the regulations." Now, what that suggests is that even if the regulations are satisfied, the minister has some discretion over and above that. I don't think that's what was intended. When we had all of the aboriginal leaders in here, if you said to those men and women that we're going to do this repatriation but only if it meets the regulations, we have no idea of what's going to be in regulations, and over and above that it has to be the thing consented to by the minister – in other words, in the minister's opinion it's got to be appropriate – I think some people would say, well, that sounds a little paternalistic. That sounds like the whole thing we're trying to get away from with a bill like Bill 2, and, you know, we don't need to go back to all the things that Harold Cardinal has written about so powerfully and persuasively in Alberta. I think the First Nations people deserve to know what the rules are going to be, and if there's going to be a refusal by a minister and some discretionary power exercised, I think they're entitled, like all Albertans are entitled, to know what the criteria are going to be.

So, Madam Speaker, it's a very good bill, it's a bill I support, but I just serve notice on the Associate Minister of Aboriginal Affairs that I think we have to deal with that discretion thing. Either we take it out altogether and just leave it at regulations, or we say that discretion can only be exercised on the basis of four or five criteria, A, B, C, D, whatever, and then we just have a much stronger bill.

I look forward to further debate on the bill, but those are the observations I wanted to register at this time. Thank you very much, Madam Speaker.

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

MS KRYCZKA: Thank you, Madam Speaker. I, too, endorse Bill 2, the First Nations Sacred Ceremonial Objects Repatriation Act. Speaking mostly in my capacity as chair of the Seniors Advisory Council, I would echo the Premier and many others in noting the significance that elders hold for First Nations society. During my review as chair of the First Nation court proposal submitted by the Tsuu T'ina First Nation and noting that the report has been accepted and is being implemented by this government, I came to appreciate from firsthand experience the respect paid toward their elders. I think very important was the role of the elders, for instance, in the

community-based peacekeeper component and the pride with which I saw them complying to carry out and develop this component with the expectation that this report would be accepted.

Elders, who may be seniors, definitely possess the wisdom, experience, and leadership that is so important to their people in many ways. For instance, the cultural and spiritual heritage of our indigenous peoples should be valued by all of us as citizens of this great country. We encourage and allow all immigrant groups to Canada to remember and practise the beliefs of their country of origin, and the same respect and appreciation for indigenous, or First Nations, cultures should also be given.

Also, I feel that we cannot undermine the significance of our roots and the importance of preservation and possession of traditional objects which are vital to the essence of indigenous cultures and which are necessary in supporting traditional values and building strong, confident First Nations communities. That is whether the cultural objects are presently housed in a museum or whether they have been identified within an archeological site.

[The Speaker in the chair]

The right of ownership of objects which signify tradition is the crux of the matter in this bill, Mr. Speaker. Ownership will enable elders and all members of the First Nation community to learn more about their roots and be able to stand taller with pride in that knowledge.

Mr. Speaker, I believe this legislation will enhance the ability of elders in the First Nations communities, as I've said, to pass along to new generations the legacy of aboriginal traditions and very much deserves our support.

Thank you, Mr. Speaker.

4:30

THE SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. I rise today as well to offer my support for Bill 2, the First Nations Sacred Ceremonial Objects Repatriation Act. You know, it occurs to me that in my time in this Legislature one of the things I've been doing is trying to bring forward the concerns that we as Albertans and as Canadians have with some of our history, some of our traditions, and just the way that we look at certain things. As examples, thanks to your office we now have hanging in this Chamber the flags of all the provinces and the various territories of this country, and I believe we're the first Chamber in the country to in fact do that. We have recently begun to sing the song *O Canada* on Mondays or on the first day of session in this Legislature, and I'm aware that the federal government in fact does it on Mondays, once a week, in their Legislature.

I guess the point I'm trying to make, Mr. Speaker, is that while we consider our history and our symbols very, very important, I don't think the First Nations peoples would be any different. In point of fact, just the nature of the title of this bill, where it talks about the First Nations Sacred Ceremonial Objects Repatriation Act, to the First Nations people gives even more importance to these objects than in fact our customs and history. I shouldn't say more importance, but at least the same level of importance as our history has to us.

So with that in mind, Mr. Speaker, I am pleased that the government has a strong commitment to supporting the First Nations communities and their long-standing traditional values on this. I think all sides of the Legislature at this point in time would agree with that. The only bone of contention that I would have today is listening to the Member for Calgary-Buffalo talking about the

regulations. When I read clause 5 within the bill, on regulations, it's very straightforward. It talks about "respecting the process and procedures." It talks about "respecting who is to represent a First Nation for any purpose relating to the repatriation" of these objects. It talks about "respecting the consultations with a First Nation that must be completed for the purpose of section 2(3)."

Well, 2(3), Mr. Speaker, simply says that "repatriation may occur . . . only after consultations"; in other words, with agreement. I really don't have a problem with this. I think it shows a great deal of respect from both sides of the argument; as an example, the Glenbow Museum, which I understand is more than happy to give up these objects at this stage of the game to their rightful owners and to the people that it means the most to. When I look at the regulations, they certainly show that same kind of respect, and I'm hoping for co-operation down the road to ensure that all this happens.

Thank you very much for your time, Mr. Speaker.

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

DR. MASSEY: Thanks, Mr. Speaker. I'd like to make a couple of points. As has been indicated, we're going to support fast passage, or quick passage, of the bill because we believe it's the right thing to do, but I think there are a couple of questions. On one I have to admit to some ignorance. I'm not quite sure how the Crown obtained title to a lot of the artifacts that are referred to in the bill. I have experience with a few. If they were acquired in a manner where they were items that were just taken by collectors and then donated to museums or were objects that were actively sought by museums in native communities and then incorporated into museum collections, I think somehow or other that title, that ownership should be made explicit.

I think the bill is a part of the evolution along the way to a huge change in perspective vis-a-vis other people and other cultures. I look back, for instance, at the treatment of aboriginals in the textbooks that have been used in this province for the last 50 years, where aboriginals and other cultures were really treated as museum pieces. If you look at the treatment of the Japanese, if you look at the treatment of the Inuit, if you look at the treatment of people from other lands – in fact, some of the books used to be entitled: children in other lands. They were presented as if they were museum pieces, and most of us, I would suspect, can remember having outlines of Dutch wooden shoes and natives in traditional garb being given to us for colouring or for pasting into social studies books. But there's been a huge shift in perspective away from the kind of paternalistic Eurocentric view of the world that was embodied in those textbooks and that reflected what I think the general view of those people was in society, and this is all to the good, of course.

I, too, looked at the bill and questioned not the regulations but section 2(2). I think that if I were in the native community, it's the section of the bill that I might like the Legislature to revisit and maybe amend, because section 2(2) says, "The Minister must agree to the repatriation of a sacred ceremonial object unless, in the Minister's opinion, repatriation would not be appropriate." So we still have that power residing in the Crown to decide whether or not it's appropriate for an object to be repatriated, and I wondered if that's the spirit of this legislation. I would be interested, before the bill passes out of committee and is finally passed, if someone from the government side would comment on that particular provision, because it does seem to be a throwback to the notion that somehow or other we are letting the native community, the aboriginal community, have objects, but we will be the ones that will make the determination under which conditions they can have their own possessions.

With those comments, I look forward to some clarification from the government side. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Community Development.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'd like to make a few supporting comments, obviously, with respect to Bill 2, the First Nations Sacred Ceremonial Objects Repatriation Act, as this particular area falls under the responsibility of my ministry. I'd like to point out a couple of things that happened, as the Premier pointed out, during a signing ceremony for the Blackfoot agreement, which becomes verified within this bill, back on January 14 of this year.

The museums work very hard to preserve these sacred ceremonial objects over time so that today, when the time is right, we can move forward in a positive, improving relationship with our First Nations peoples. Museums like the Provincial Museum and indeed the Glenbow help us to teach about the proud history and the traditions of the aboriginal peoples, all aboriginal peoples, and we must look at this repatriation in this overall context. In fact, I was very pleased to learn from the hon. Member for Lesser Slave Lake that she was able to join eight elders from treaties 6, 7, and 8 to take part in a pipe ceremony blessing this legislative initiative before first reading. But the important thing is that while this historic ceremony went on inside the learning circle of the Syncrude Gallery of Aboriginal Culture at the Provincial Museum, schoolchildren watched and visited surrounding exhibits. What better way to bring a melding of the two cultures and an understanding.

Working in partnership with First Nations communities, museums need real and historical artifacts to do just this kind of work, yet this government and this minister also believe that museums should not extend their role to the point of holding sacred ceremonial objects vitally important to the practice of First Nations ceremonial life.

As Minister of Community Development I was interested to learn about a story that goes back a few years, from the making of the Syncrude Gallery of Aboriginal Culture at the Provincial Museum. In a planning meeting for the gallery one member of the aboriginal advisory committee observed that perhaps the elders of a few decades ago had shown great foresight by putting sacred ceremonial objects in museums. He didn't mean this simply in the sense that it would preserve these objects. He meant this in the sense that the elders had created an enduring relationship between aboriginal peoples and museums. I think this in fact is the case and that we've gone one step further, to where we're going to be working to bring them back. Not many people know how far some of those efforts went. In fact, in what is perhaps the only such example in North America some medicine pipes and bundles were transferred to the Provincial Museum in accordance with Blackfoot ceremonial traditions.

4:40

Regardless how sacred ceremonial objects came into museums, though, they left communities at a difficult and trying time for First Nations peoples. Today, as First Nations regain their vitality in so many ways, we can honour the elders of an earlier generation and make that story come full circle. The First Nations Sacred Ceremonial Objects Repatriation Act will bridge the gap between the educational and preservation roles of museums and what First Nations communities need today. With this act we can all work together to protect sacred ceremonial objects for generations to come, and we can ensure that they continue to play their role in the living traditions of First Nations people.

Some of the speakers went on, Mr. Speaker, about regulations and so on. I might point out that we hope to keep regulations minimal,

and they will be created in consultation with the First Nations people to whom they apply. The whole key to this repatriation is that we currently have these articles in our trust and will return them upon request of the appropriate representatives from the First Nations peoples.

There is also a desire to table schedules. Quite frankly, Mr. Speaker, other than the Blackfoot agreement, which has some 251 objects identified – we will table that schedule in the House; that's not a problem – we don't have them identified because they haven't been properly identified. That will take time, and that's where the consultation with the First Nations people is extremely important.

I would say that this is a bill that's entered into in good faith. I'm very pleased to see that there is support from both sides of the House for this particular bill, and I look forward to seeing us go ahead with the passing of it. As we go on with this bill, it will go a long way to meld an even stronger positive relationship between the First Nations people of Alberta, the people in general, and indeed the museums with whom they work so closely.

Thank you, Mr. Speaker.

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

DR. NICOL: Thank you, Mr. Speaker. It's a real honour this afternoon to stand and address the issues of Bill 2, the First Nations Sacred Ceremonial Objects Repatriation Act. I spent quite a number of years when I was at the University of Lethbridge working with the First Nation communities of western Canada and in fact all of Canada. We developed a number of curriculum- and issue-directed learning materials for the First Nation communities in co-operation with the First Nation communities. One of the things that came up in a number of discussions we were having over the development of tourism alternatives and tourism options for some of the First Nation communities was that very awareness, that a lot of the really important parts of their community, the sacred objects of their community, were not in their possession and not under their control. This act will now go a long way to addressing those issues.

I know that some of the materials, because of the practice that the First Nation community has, may not end up being on public display in the same way that they were in a public museum. Still, they'll be now returned to the First Nation community to deal with as is appropriate for the object they're dealing with. For some of them this will now mean that potentially they may not be as publicly available for the rest of us Canadians, but it's important in the end that these objects, which mean so much to these communities, be used, be handled, be exhibited, if necessary or if appropriate, under the guidance and under the wishes of those First Nation communities.

Mr. Speaker, there's only one comment I'd like to make with respect to the process. That is that in discussions with many of those First Nation communities we would talk about how the objects came into the possession of the nonnative community as we were dealing with them. In a lot of cases families or elders transferred those materials or those bundles to a member of the Canadian community through a process of trying to achieve a means of supporting themselves. In other words, they were sold because it was necessary for the well-being of the individual's family a lot of times.

Now, what I would like to suggest, as these items are repatriated by the First Nation community, is that we as the Alberta holders of those objects look in some way at recognizing the family or clan from which those objects originally came. What in effect is happening now is that an object that was under the control of an individual family or a clan may now be transferred to the control specifically of the band, the tribe, or the nation, and if some

mechanism is not there to recognize the history of it, I hope that that is taken into consideration.

It's also important to note the precedent that gets set with this kind of action. I think it goes a long ways now to increasing the ability that we as Canadians and non First Nation members have of understanding the significance that these items mean to them. These are the same kinds of things that we value in our culture and in our processes, like our Mace here, the things we do, the objects we have in our churches. This provides almost a sense of coming home to the First Nations community.

So, Mr. Speaker, just with those few comments I would like to congratulate the staff and members of our museum community and members of the government but most of all the members of the First Nation communities for taking the initiative to open negotiations and in effect get back in their community the items that belong to them.

Thank you very much.

[Motion carried; Bill 2 read a second time]

### Bill 1

#### Alberta Heritage Foundation for Science and Engineering Research Act

[Adjourned debate February 23: Dr. Massey]

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. I'm pleased to be able to add my endorsement and support to Bill 1 today. This is a bill that clearly sets Alberta apart. It stakes a claim for our province, and it makes a definitive statement about where we are headed.

Bill 1 is something that represents a major step forward for Alberta in our efforts to become a major force in the new knowledge-based economy and a recognized global leader in science, research, and technology. This bill reflects Albertans' pioneering spirit. I believe it was best summed up a few weeks ago as the Lieutenant Governor was reflecting on the very nature of Albertans, when she stated:

Albertans are confident, confident in their province, in their ability to succeed, and in the strength of their province. Albertans are entrepreneurial people who believe that citizens should have the freedom to pursue their goals. They also value innovation and are not afraid to take risks or try new ideas if the goal of these actions is worth while.

Mr. Speaker, Bill 1 is about innovation and confidence in our abilities now and in the future. The legacy which Bill 1 creates is one more way we are going to show that we are pioneers and to truly open new worlds of opportunity for our children and our grandchildren. The bill we have before us creates the new Alberta heritage foundation for science and engineering research, a \$500 million endowment, which is a substantial investment – and I stress investment – in the prosperous future of our province. If provincial finances permit, an additional \$100 million will be added to the fund each year for the next five years, meaning the endowment fund could possibly be worth \$1 billion by the province's centennial of 2005. There's no doubt this permanent endowment creates a legacy for our children and grandchildren, as it will enable Albertans to launch a whole new age of innovation.

4:50

The Premier and his government recognize that innovation will be the key to prosperity in the 21st century. This endowment will help us attract investment, recruit top researchers from around the world, and give our young people at universities and colleges the chance to train with some of the best minds in science using the latest technologies. Every industry in this province will benefit from this

endowment: from farming, which is so important in my constituency, to forestry, to energy, to information and communications technology, to the environment, to biotechnology, and of course health.

No other province has a fund quite like this. This endowment is an investment in Alberta's strong science and engineering base in our postsecondary institutions throughout our province and in the industrial sector. It is also a vital part of the province's strategy and commitment to build the province's emerging knowledge-based economy. It builds on the recommendations of the Alberta Science and Research Authority to grow the knowledge-based economy from 7 percent to 25 percent of our GDP and to grow the research and development currently occurring in Alberta to \$3 billion by the year 2010. The recommendations of the 1998 Growth Summit and the 1999 Roundtable on University Research both recognize the need and call for the creation of an endowment for science and engineering.

Through minisummits in my own constituency of Wetaskiwin-Camrose the need for research initiatives was frequently mentioned and encouraged. Many in my constituency concluded that stable, long-term funding for research and development is critical to long-term sustainable prosperity in the new century. Bill 1 is this government's response to that call.

This endowment fund will be modeled after the Alberta Heritage Foundation for Medical Research, that was established in the year 1980. The government originally invested \$300 million in that endowment fund, which is estimated to be worth over \$1 billion today and has been an outstanding success and has made us a world-recognized leader in the field of medical research. In the year 2000 the fund will generate over \$39.5 million in direct funding for medical research here in our province. Experience with the medical research fund shows that every fund dollar invested can be expected to attract another \$2 to \$3 from other sources.

That's great news, Mr. Speaker, as I have every belief that the new science and engineering fund will be used to lever even more research and development dollars from the federal government and, of course, from the private sector. That kind of leverage of external dollars is a significant vote of confidence in the value of research.

Speaking of confidence, I'd like to share some comments from some well-known individuals in international circles. As you know, last November the Premier announced the appointment of the External Advisory Council on Information and Communications Technology. It consists of some very respected people in the world of research and technology, all ex-Albertans and alumni of the University of Alberta and the University of Calgary. Two of them, Dr. James Gosling, the inventor of Java, and Dr. Richard Taylor, a Nobel laureate in physics from Stanford University, have made some interesting comments. I quote first of all from Dr. Taylor. He states:

Over the last 50 years, many new and profitable industries have grown up near universities where such excellence in the quest for new knowledge is common. I applaud the efforts of the Government of Alberta for this and other recent initiatives designed to move the province ahead in this technological world.

To quote Dr. Gosling, he says:

This is amazing. Much of the current prosperity in the United States can be traced back to visionary long term funding of research in the 70s and 80s that led to modern booms in materials, computers and the internet. In a similar way, by creating this new fund, the Government of Alberta is sowing the seeds of future discoveries that, based in Alberta, will bring prosperity for years to come. Bottom line – the creation of the Science and Engineering Fund by the Government of Alberta is a wonderful thing. Its encouragement of the development and commercialization of new technologies will add a new dimension to Alberta's economy. In the years to come it will leave a legacy of prosperity that will benefit all Albertans.

Yes, Mr. Speaker, this endowment will benefit all Albertans. These quotes illustrate the response that is coming from the international community, and I believe Albertans are expressing their full support as well.

Again I want to thank the Premier, the Minister of Innovation and Science, and all my colleagues for their support and vision in bringing this bill forward. This is a proud day for all Albertans, and I encourage every member of this Assembly to proudly support second reading of Bill 1.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. It's amazing that a government that could bring in Bill 11 could also bring in Bill 1. In Bill 1 we have an example of a government doing the right thing, and unfortunately I can't say that about Bill 11. I'd also say that with Bill 1 we have an example of truth in advertising. It's called the Alberta Heritage Foundation for Science and Engineering Research Act, and of course when you read the bill, what you find is that it will establish this foundation with an endowment of half a billion dollars and it will carry on some good works. Again if you contrast that with Bill 11, it's called the Health Care Protection Act, which is of course exactly the opposite of what Bill 11 really is.

Mr. Speaker, what I will say about Bill 1 is that when I heard the minister speaking to the press and when I heard the Premier introducing the legislation in this Assembly, I was reminded of other debates that we've had in the Chamber, including of course the science, research, and information technology budget estimates debate from February of 1998.

I think that if members go back and review the *Hansard* of those debates, they'll find an interesting dialogue that in part took place in an exchange between myself and the minister. Part of that dialogue had to do with this notion of the creation of a maximum wage economy as opposed to focusing on a minimum wage economy. I was flattered because after making those comments about the maximum wage economy, the minister pulled me aside. He said: you know, that's a really good line; I'm going to use it and I'm going to use it without attribution, so I hope you don't mind. But whenever you hear me talking from now on about how science and technology is going to be the leverage that Albertans will use to catapult themselves into the future and the creation of this maximum wage economy, he said, you can smile a little smile to yourself.

So, of course, Mr. Speaker, I have, and I've been watching the minister to see whether or not he's been pursuing that agenda, and I have to congratulate him, because there are some bold initiatives that are coming out of that minister's shop, including this target of increasing the role of science and technology in Alberta's economy. At present somewhere between 6 and 8 percent of our provincial GDP comes about as a direct result of science and information. The government's stated goal is to raise that to fully 25 percent. One dollar in every four that is created in this province will come out of that sector. I'd like to work in my capacity to help assist that goal to the best of my ability, and I think supporting Bill 1 is at least one positive step that I can take in that regard.

5:00

Mr. Speaker, the role of science and technology and engineering can't be overstated. For so very long in this province wealth has often been quantified as something that has happened as a result of either something that we've extracted from the land or something that we grow on top of it. Wealth has been seen as something that comes to us because of our natural resources. What has really



played second fiddle to that is a conception of wealth creation as something that comes about as a result of our people, something that happens because of some neural activity between the ears, or something that has happened because we recognize that funding things like university research is an investment in the truest sense.

So to see the government as part of its policy move towards creating this endowment that's in part modeled after the very, very successful Alberta Heritage Foundation for Medical Research shows me that this government, in spite of some evidence to the contrary, can from time to time wander across a really good idea and implement it in a way that I think all Albertans can be proud of. Now, of course, the example of the medical foundation is a good one, because it talks about peer review and being international in focus and status and really being cutting edge, and I know that we can count on exactly the same kind of orientation for this new foundation.

Mr. Speaker, I have a couple of concerns about this foundation. First of all, it concerns me that the government may be looking at the creation of this foundation as something that they can point to and say: see, we're serious about supporting science and research. They may look at this foundation and say: look, here's an example; we've done what we can do in terms of supporting basic research. And that would be a shame. I mean, I hope that this foundation doesn't become in any way any kind of a political touchstone, other than to give credit to the government where credit is due.

The creation of this foundation does not address the tuition crisis that's affecting Alberta's postsecondary institutions. Just here in Edmonton this last week the University of Alberta had to raise tuition over 6 percent. Students are graduating with degrees from university with debts equivalent to a mortgage, Mr. Speaker. I don't think the government can be proud of its track record in addressing tuition pressures.

So I would say as a challenge to the government: you've done the right thing when you've made money available for science and research through this foundation and attracting world-class researchers, but let's remember that we want to attract these men and women to facilities that we can be equally proud of, to postsecondary institutions where the library resources and the laboratory resources are second to none, not second class. We want to make sure that when these scientists from all over the world come to Alberta to further innovate and to refine their science, they will be attracted to universities, for example, that will be competitive in their salary structures and able to retain these scholars beyond simply the terms of their foundation-funded research.

Mr. Speaker, the government is also challenged by its policies of the past; you know, when Alberta advanced education institutions were hit with those 20 percent across-the-board cuts. We see that we still haven't recovered, and there are lots of ways that you can measure that. We can look at library collections and periodical subscriptions, and we can look at retention of tenured faculty. We can look at innovations and patents and see that we have lost some ground. So while I'm very, very positive and want to be sincerely congratulatory to the government when it comes to the creation of the foundation, I do issue these challenges and these cautions to the government to please be as farsighted with the overall support of advanced education as they have demonstrated they can be with the creation of this foundation.

Mr. Speaker, I have another suggestion for the government when it comes to the foundation, and that is that I hope the minister will make sure that he does everything in his power to see to it that this foundation supports primary research first and foremost, that we don't look at this simply as another vault full of money that can be used to commercialize existing research or that can somehow be used as backdoor venture capital. Not that venture capital isn't an

important issue that needs to be addressed, but frankly, I think it's more of an issue for the Provincial Treasurer than it is for the Minister of Innovation and Science.

Some strategic changes to tax policy, some leveraging of government activities when it comes to managing government-controlled investment funds I think would go a long way towards making more venture capital available to Alberta-based companies and scientists. So I'm not diminishing the need for venture capital. I'm just saying that that should not be the use of this foundation.

I'm also hoping, of course, that when this government looks at that continuum of science from the idea finally through to application of the outcome of research, they make sure there is a weighting towards the discovery of new knowledge here in Alberta and then leave it to the private sector, because I believe it's really the private sector's role to figure out ways to commercially exploit this new knowledge. We have to get back to a position where we value learning for learning's sake, Mr. Speaker. We have to get back to a position where we understand that the value of knowledge is really in its discovery, and the wonder of knowledge is then in its sharing. The public good, of course, is best served when the government puts public money in at that very front end, at that primary level, and then creates policies that make it attractive for private capital to come into this process when it comes to, as I say, the application.

Mr. Speaker, there are a couple of other comments that I'll share at this point in second reading. In reading the legislation, I was pleased to see that there's going to be a board selected. In fact, just today in the mail I received correspondence, as I believe all members may have received correspondence inviting them to submit names of potential board members. I'm hoping that, of course, this board selection and appointment process will be arm's length, that the government won't taint this foundation at the get-go by hand-picking individuals who may be friendly to the government.

The one thing that we know, Mr. Speaker, is that science in its truest form, of course, is apolitical, and there are many, many examples in history of when government tries to control, corral, and direct science for political purposes, and I think the dangers are well known to most members. So I'm hoping that the appointment process will stay arm's length. I'm hoping that it won't be seen as a political process, and I'm hoping that the government will see this as an opportunity to engage all Albertans in something that's very exciting and not simply those Albertans who may define themselves first and foremost by the party membership card they carry in their hip pocket.

Mr. Speaker, a couple of other concerns about the board. The number of people on the board may or may not be an appropriate number, and I think that there's a series of opinions that could be offered on that. The issue is not necessarily with the absolute number but in the complement of individuals that fill out those numbers. I note that agrologists and engineers are the only two named scientific groups that will be appointed. Well, I have nothing against agrologists or engineers, but you know, we have IT professionals and we have a number of other scientists who could be appointed. Perhaps in Alberta, considering our close history with natural resources, we would want to look at somebody with an environmental specialty being on the board. While I understand that that could also be an engineer, my reading of the legislation is that the engineer that will be selected on the board will be a member of the engineering profession that will be selected by the government, not by the profession. So maybe we'll have a chance, when we come to committee, to take a look at specifying some other individuals representing other specialties who may be named to be on the board.

5:10

I'm going to now argue the other side of the coin as well, Mr. Speaker, because not only would I be looking for some other

specialties being named to be on the board, but I take a look at the section that allows for up to six other men or women to be appointed to the board. I question: why isn't it specified that some of those six be members of the general public, be Albertans from any other walk of life perhaps than from a scientific walk of life, be a constituent of mine or yours who has an abiding interest in the future of this province and a willingness to contribute but who doesn't have a particular specialty? I think that perspective would be very valuable. I think a member or two of the lay public on this board would be exceedingly valuable. I always marvel at the sage advice that my constituents provide me in my day-to-day work. I know that whether or not they have a specialty or a specialized knowledge in the area that we may be chatting about, they have a clarity of vision about what it is that concerns them on the issue, and I think we can see that same clarity brought to bear when it comes to this newly formed foundation. I mean, after all, no matter how you cut it, this foundation is going to be backstopped with 500 million taxpayers' dollars. So why not have a couple of ordinary taxpayers sitting around the table when investment decisions are being made? I use the term investment decisions quite on purpose, because, first of all, there'll be the management of the endowment, and then there'll be the investment of the income from that endowment when it comes to making decisions on what projects or initiatives are funded and which ones are not.

Mr. Speaker, a couple of other general comments about the fund. While I note that the fund is going to be a new feature, I hope that there will be some formal relationship with the board and the activities of the foundation for medical research. Sometimes it's not a broad, well-defined line but a rather narrow and fuzzy line between what might be considered basic science research and what might be considered life signs or health research. So I think those two foundations are going to have to work together, and I would like to see some thinking going into how those relationships are going to be defined.

In addition, I would like to see a document perhaps coming out of the minister's department which will clearly outline the role and relationship of all of the players in Alberta's research and scientific community. We have private-sector research. We have public-sector research right now going on in many places. We have hospital-based research. We have the AHFMR program, and of course we have all of Alberta's postsecondary institutions. So I think that array of research-focused organizations demands that there be something on paper that talks about how they're going to work together, what their relationships will be, and how conflicts, if any should arise, will be resolved.

An additional point that I'd like to make is on the role of the Alberta Research Council. Of course, the Alberta Research Council has its own board, and it's going through its own transitions and has much more of a business orientation today than it had certainly just a year ago or a year before that.

While I'm, generally speaking, a fan of the Alberta Research Council, particularly in terms of its heritage in this province, I must say that I'm increasingly hearing voices raising concerns about the current and future role of the Alberta Research Council.

I've had comments from scientists in this province that tell me that the Research Council is somehow getting altogether too much attention to the detriment of other research-led organizations. I'm also hearing, Mr. Speaker, that there are scientists who are also businessmen and businesswomen in this province who believe that the Alberta Research Council stands as a competitor to them in both what they do in terms of research and also in terms of what they do when they are trying to add value to that research, when they go to commercialize what it is they've discovered at the laboratory bench.

So while we're creating this new player, this new foundation, I would hate to see this new foundation just sort of get thrown into the mix without some more clarity and some refining of the role of what already does exist. I've had an opportunity to speak with some of the men and women involved with ARC. I know they're aware of the concerns, and I know they're sensitive to them. I know they want to alleviate the concerns, but they also want a chance to make their case and make it crystal clear what it is they're up to and what it is they're trying to accomplish with their particular orientation in their business plan.

I in no way would purport to speak for the ARC, but I know that they are people of good intent and goodwill, and I want to make sure that they have the opportunity to make expressly clear what it is they're up to. I also know that they will listen to these voices of concern, and to the extent possible they will correct their way.

Thank you, Mr. Speaker.

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

MR. HERARD: Thank you very much, Mr. Speaker. It's a pleasure indeed to stand and speak to Bill 1, the Alberta Heritage Foundation for Science and Engineering Research Act. I can say that I've had more calls about this act than I have had on the health protection act, which is kind of interesting. The constituents of Calgary-Egmont believe, as does their government, that the future of Alberta will depend on the ability to innovate and improve on approaches to business, education, health care, and just about every other area that affects our daily lives. We must be alert to changes in the global economy and be quick to ensure that Alberta becomes and remains competitive within all of its changing and emerging industries. We must ensure that Alberta remains the best place in Canada, indeed in the world to do business and call home.

Now, remember that in the throne speech Albertans have always been confident, innovative, self-reliant, and entrepreneurial people. We've never been afraid of hard work or making changes to how we look at and interact with the world. I think it made it very clear that the world of new technology and the knowledge industry are part of the new economy and will receive the attention that this sector deserves. Albertans are leaders, Mr. Speaker, a fact which is both celebrated and relied upon in our bold new plans for the future of this province.

There's also been a report issued on the implementation of a new economic strategy for our province. Part of this strategy involves Alberta's maturation into a global leader in information and communications technology and in conducting leading-edge research. We have heard for many years about the brain drain that is happening across Canada, despite the denial of our federal government, a brain drain with a postal code and an address somewhere in the United States. Here in Alberta we're now well on our way to a brain gain strategy by taking steps to ensure that Alberta is competitive and attractive to both businesses and professionals

5:20

One of the most important strategies contained this year is the creation of the Alberta heritage foundation for science and engineering research. Here, Mr. Speaker, I want to congratulate my colleague for Cypress-Medicine Hat, the minister responsible for making this foundation a reality for Alberta. This action will surely be recognized by future Albertans as the initiative that put Alberta on the R and D map of success for the 21st century.

Created with an initial investment of \$500 million, this endowment fund recognizes the power and value of knowledge for Alberta's future. It will attract investors, researchers, and graduate

students to our universities. It will give Alberta students the ability to tap into some of the finest minds in the world and to be mentored by those specialists. It will assist in the expansion of Alberta's knowledge-based economic sector. It will assist in halting the brain drain and turning it into a brain gain for our province. Not only will we encourage more bright and talented Albertans to stay, but we'll also encourage talents from across the globe to come to our province as well.

Mr. Speaker, in view of the time I think I would move that we adjourn debate.

[Motion to adjourn debate carried]

MR. HANCOCK: Mr. Speaker, in light of the hour I would move

that the Assembly do adjourn until 8 this evening, at which time we will reconvene in Committee of Supply.

THE SPEAKER: On the motion put forward by the hon. Government House Leader, would all members in favour please say yes.

SOME HON. MEMBERS: Yes.

THE SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

[The Assembly adjourned at 5:22 p.m.]

