

Legislative Assembly of Alberta

Title: **Wednesday, November 30, 2005** 1:30 p.m.
Date: 20051130
[The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon.

Let us pray. Grant that we the members of our province's Legislature fulfill our office with honesty and integrity. May our first concern be for the good of all of our people. Let us be guided by our deliberations this day. Amen.

Please be seated.

head: **Introduction of Visitors**

Mr. Liepert: Mr. Speaker, it gives me a great deal of pleasure today to introduce someone who is very familiar to those who were serving in this Assembly prior to November 22 of last year. Although she now resides in the Premier's constituency, it gives me a great deal of pleasure to introduce my predecessor as the MLA for Calgary-West from 1997 to 2004, Karen Kryczka.

The Speaker: The hon. the Premier.

Mr. Klein: Thank you, Mr. Speaker. It's my pleasure to introduce to you and all members of the Legislative Assembly four guests this afternoon. Sometime ago my guests attended the 12th annual Zep classic golf tournament and silent auction, with the charity being the Zebra society for abused children. They bid on and won a lunch with me, and it has only taken us two years to co-ordinate all our schedules and honour that prize. I'm pleased that my guests, Audrey Poliakiwski, Bill Poliakiwski, Eugene Dmytriw, and Marcia Arnot, were finally able to join me today. It was a very enjoyable lunch, and I certainly hope it was worth the wait. They are seated in the members' gallery, and I would ask that they rise and receive the traditional warm welcome of the Legislature.

head: **Introduction of Guests**

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

Mr. Horner: Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you a fairly large group, 104 visitors, from the great city of St. Albert, just north of us. There are about 100 bright, capable students from the Muriel Martin school accompanied by dedicated, hard-working teachers and a caring, devoted group of parents. I'll go through the teachers first: Mrs. Rhonda Surmon, Mr. Rick Lof, Mrs. Katie Boyd, Mr. Ryan Mooney. The parent helpers are Mr. Martyn Piper, Mrs. Crystal Karbonik, Mrs. Susan Jackson, Mrs. Heidi Brett, Mr. Ross Newton, Mrs. Brenda Clark, Mrs. Susan Kamminga, Mr. Jack Dunnigan, Mrs. Patti Boucher, Mrs. Tracy MacLeod, Mrs. Cherylyn Thorsley, and Mr. Jeff Hebner. They are in both galleries, I believe, of the Legislature. I'd like them to rise and receive the traditional warm welcome of this House.

The Speaker: Hon. Member for Edmonton-Centre, have your guests arrived?

Ms Blakeman: No, they haven't. They're coming in at 2 o'clock, so if I may introduce them following question period.

The Speaker: Sure.

The hon. Leader of the Official Opposition.

Dr. Taft: Thank you so much, Mr. Speaker. It's a real pleasure to introduce to you and to all members of the Assembly Craig Miller, who is seated in the public gallery. Craig is the author of his first novel, *Against the Strength of Night*, which was just published. Craig was born in Halifax, but he grew up in Edmonton and attended Old Scona high school and the University of Alberta. He's currently working on two works of fiction, one in the fantasy genre. Craig is the oldest son of Rhea Jansen and her husband, the hon. Member for Edmonton-Glenora. I'd ask Craig to rise and receive the warm welcome of all members of the Assembly.

The Speaker: The hon. leader of the third party.

Mr. Mason: Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you and through you to this Assembly Pat Spady. Pat is a physical therapist who lives near Lamont, Alberta. She has organized a series of health care vigils here at the Alberta Legislature over the past three weeks to help protect public medicare. We appreciate her dedication and commitment to this issue. I'd now like to ask that she rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

Mr. Ducharme: Thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you to all members of the Assembly a group of hard-working individuals who comprise the staff of government members. We have with us today a group of 28, headed by our director of caucus, Jason Zwarg. He is responsible for making our lives run smoothly, along with our 18 legislative assistants. Mike Simpson is our senior researcher, and his group of researchers provide us with everything from speeches to background information.

The groups today are seated in both the members' and the public galleries. I would ask them to rise as I call their names. The legislative assistants are Jan Aldous, Darlene Beckstrand, Jon Buck, Darla Cowdell, Carmen Frebrowski, Brenda Goebel, Matt Hebert, Phyllis Hennig, Cheryl Koss, Cheryl Lees, Stacey Leighton, Barb Letendre, Brendalee Loveseth, Bethany MacGillivray, Marie Martin, Brock Mulligan, Eric Taylor, Lanny Westersund. The researchers are our senior researcher, Mike Simpson, and Jordon Copping, Dan Hanson, Elizabeth Jeffray, Tyler Lawrason, Emir Mehinagic, Peter Pilarski, David Williams, Jeff Kasbrick, and the director of caucus, Jason Zwarg. Please join me in giving them our traditional warm welcome.

The Speaker: Are there others? The hon. Minister of Advanced Education.

Mr. Hancock: Thank you, Mr. Speaker. I think I spied in the members' gallery Mr. Terry Downey, who is the president of St. Mary's University College in Calgary. St. Mary's is one of the private, not-for-profit institutions, which does exceptional service for students in Alberta. I had the opportunity to meet with Terry and other presidents at noon today. I'd ask Terry to rise and receive the traditional warm welcome of the Assembly.

head: **Oral Question Period**

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

Walton International Group Inc.

Dr. Taft: Thank you, Mr. Speaker. The RRSPs and investments of countless Albertans are influenced by the operation of the Alberta

Securities Commission, but the unanswered questions about the commission are piling up. For example, Walton International is a company that sells undivided interests in land in Alberta. According to a 2002 Alberta Securities Commission ruling, companies that sell undivided interests in land must file a prospectus. However, Walton continues to sell undivided interests without filing a complete prospectus. Like Zi Corporation, Walton is well connected to top Alberta Tories. My question is to the Minister of Finance. Would the minister please share with this Assembly why Walton International, after the 2002 undivided interest ruling by the Alberta Securities Commission, was allowed to operate unregulated from 2002 to 2004?

Mrs. McClellan: Mr. Speaker, I do not have any first-hand knowledge of this. However, I did ask the hon. member to bring specific cases forward, and I will certainly endeavour to get a response and provide it to him.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. We'll be tabling all the documents at the appropriate time.

To the same minister: could the minister please explain why the Alberta Securities Commission has taken such a soft approach to Walton when the B.C. Securities Commission has taken a much firmer approach?

1:40

Mrs. McClellan: Again, Mr. Speaker, as I've indicated in the House prior, I do not get involved in the day-to-day operations of the Alberta Securities Commission. However, I have made the commitment that I will research this particular action after, of course, receiving the tabled documents, which I assume will happen later. I can tell the hon. member that if he wanted an answer to that question, he could have simply given me the information this morning – we saw each other earlier – and I would have probably had the answer for him now.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. To the Premier: given that we don't have a lobbyist registry in the province, could the Premier please advise this Assembly of the steps taken by Walton to have this government's ear?

Mr. Klein: I know Walton International. I've known the company for some time. Pat Doherty, I believe, is the president. Bill Doherty runs their operations. They do extensive work in Asia. I understand that they land bank. My daughter used to work for Walton about four years ago. I've been fishing with Pat Doherty and his son, Bill. I know nothing of their operations other than they own some land in the vicinity of Spruce Meadows. They also own some land, as I understand it, or have assembled some land in the vicinity of the proposed packing house northeast of Calgary. What else do I know about the corporation? That's about it.

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

Labour Relations Board

Dr. Taft: Thank you, Mr. Speaker. Albertans should expect this government to administer this province's labour laws with fairness and justice. Today's revelation that the vice-chair of the Alberta Labour Relations Board actively participated in drafting a government bill indicates that this supposed impartial judicial body is being

used as a tool of this government. The referees should not be making the rules of the game. To the Premier: given that a minister for his government has denied that the Alberta Labour Relations Board was involved in the drafting of Bill 27 regulations, a statement now completely proven to be false, what does the Premier plan to do to restore public confidence in the Labour Relations Board?

Mr. Klein: Well, it's news to me that a minister was involved. The information I have is that internal e-mails mistakenly released – that is, publicly released – by the Privacy Commissioner suggest that the Alberta Labour Relations Board impartiality has been breached. The e-mails indicated that the board sent draft regulations to the government for Bill 27 – as I said before, I am unaware that any minister was involved – the legislation that consolidated the health care bargaining units. I recall that. The Privacy Commissioner undoubtedly will have to answer any questions about why or how these e-mails were released. I would remind members of the Legislature that the Privacy Commissioner reports to the Legislature, not to me.

I understand also, Mr. Speaker, that there is the matter of ultra vires here. The Court of Appeal has before it arguments about the board's role in Bill 27. I can't comment any further on that case in that it is before the courts.

The Speaker: The hon. leader.

Dr. Taft: Thank you, Mr. Speaker. The minister involved is the Member for Lethbridge-West. We will table the documents at the appropriate time.

To the Premier again: will the Premier admit that there is a clear and undeniable conflict of interest in allowing the vice-chairman of the Labour Relations Board to draft legislation and then to chair tribunals to interpret it?

Mr. Klein: Mr. Speaker, I'm sorry; it's sub judice. That's the word I was looking for. You caught me off guard.

I don't know. I haven't had a chance to talk to the minister in question as to whether or not he elicited help from the Labour Relations Board in the drafting of regulations vis-à-vis Bill 27, but I can say that because the matter is sub judice, I can't comment any further on the case. It is before the courts.

The Speaker: The hon. leader.

Dr. Taft: Thank you. Again to the Premier: given that this newly public information shows that the Labour Relations Board is biased and that many of the decisions in the past are now under a cloud of suspicion, will the Premier initiate a full public inquiry into the operations of the Alberta Labour Relations Board?

Mr. Klein: Mr. Speaker, first of all, I take exception that the Labour Relations Board is biased.

As I indicated, this matter is before the courts. Now, the courts, as I understand it, are very public bodies, and the hon. Leader of the Official Opposition can attend the courtroom and the court proceedings. He can sit there and listen to every word. That, in fact, is a public inquiry.

The Speaker: Third Official Opposition main question. The hon. Member for Edmonton-Manning.

Mr. Backs: Thank you, Mr. Speaker. The mission of the Alberta Labour Relations Board is "to administer, interpret and enforce Alberta's collective bargaining laws in an impartial, knowledgeable, efficient, timely and consistent way." Alberta's labour movement has lost confidence in the impartiality of this board. A board vice-chair designed legislation and then sat to judge its interpretation.

My question is to the Minister of Human Resources and Employment. Will the minister do anything to restore public confidence in the supposedly independent and impartial Alberta Labour Relations Board?

The Speaker: The hon. minister.

Mr. Cardinal: Thank you very much, Mr. Speaker. I think the public has confidence in our government. To start with, the question about the board's role in Bill 27, of course, as the Premier says, is before the courts, and I will not comment specifically on that particular issue.

The Alberta Labour Relations Board itself is an independent and impartial body. The Alberta Labour Relations Board has no involvement in the approval of policy in Alberta. Good advice leads to good legislation, Mr. Speaker. The board is one of several stakeholders that may be – may be – consulted about labour relations issues flowing from policy decisions done by the government.

In addition, as far as confidence, in a recent independent study on transparency and openness of labour boards in North America, Alberta tied for first in that process.

Mr. Backs: Who was the judge of that?

Mr. Speaker, to the same minister, will the minister inquire into the actions of the Alberta Labour Relations Board to see if it has unfairly advanced the so-called Christian Labour Association in the interests of certain employers?

Mr. Cardinal: No, Mr. Speaker, I won't.

The Speaker: The hon. member.

Mr. Backs: Thank you, Mr. Speaker. To the same minister: did the minister have any knowledge of this flagrant abuse of an independent, semi-judicial board, and if he did, will he accept ministerial responsibility and resign?

Mr. Cardinal: No, Mr. Speaker.

Mr. Mason: Back in March of 2003 a bill that restructured health care bargaining by tearing up dozens of existing collective agreements was rammed through this Legislature. The minister insisted at the time that the Labour Relations Board was not involved in drafting that law, and we can provide that, Mr. Speaker. Documents that the government has fought for two years to keep secret have proven otherwise. I will table these documents at the appropriate time. My question is to the Premier. Given that one of the board's vice-chairmen actually wrote the outline of the draft health care restructuring law, will the Premier come clean and admit that the government was not telling the truth when it claimed back in 2003 that the LRB was not involved in drafting this law?

1:50

Mr. Klein: I don't know what was said or what wasn't said back two or three years ago. All I know, Mr. Speaker, from my briefings is that Bill 27, the act now in question, is being challenged before the Court of Appeal. It is therefore sub judice, and I really can't comment.

The Speaker: The hon. leader.

Mr. Mason: Thank you, Mr. Speaker. Well, I'll ask the Premier about the LRB then. To restore Albertans' faith in the Labour Relations Board given that it's been seriously compromised by this government, will the government now ask for the immediate resignation of the LRB chair and the two vice-chairmen who

seriously breached their duty of impartiality by siding with health care employers against health care unions, and if not, why not?

Mr. Klein: Mr. Speaker, that is the question precisely that is before the courts, the question as to whether the unions were compromised by the LRB or, in fact, by any member of the government. So that matter is sub judice in that it is before the courts.

Mr. Mason: It's not sub anything, Mr. Speaker. It's just subclarity.

To clear the air, will the government call for an immediate public inquiry into the incestuous relationship which exists in this province between the government, health care employers, and the top echelon of the Labour Relations Board?

Mr. Klein: Mr. Speaker, that question was asked by the hon. Leader of the Official Opposition, and my answer is the same. The Court of Appeal is indeed a public inquiry – very, very public – and I would ask not only the Leader of the Official Opposition but the leader of the third party to attend the court proceedings and see for himself.

The Speaker: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Lethbridge-East.

Affordable Supportive Living Program

Mr. VanderBurg: Thank you, Mr. Speaker. There are issues out in the constituency that people are concerned about, and the recent announcement of \$140 million in capital funding for seniors' supportive living in affordable housing projects was certainly great news for all Albertans. Part of that announcement was \$15 million for lodge upgrades, especially appreciated by housing providers and rural communities like those of Mayerthorpe in my constituency. Those lodges are aged and in need of great repairs. My questions are all to the Minister of Seniors and Community Supports. Given that details are sketchy, my seniors' foundation is asking me many questions. Can the minister advise how this funding for lodge upgrades will be allocated throughout the province?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. The member is absolutely right. The Premier's funding announcement has been very well received by communities and by groups throughout the province like the Alberta Senior Citizens' Housing Association, which I had an opportunity to meet with last week and speak to 400 members about this funding announcement. This funding, as you know, is to ensure that our provincially supported lodges are going to meet the community needs and the needs of our seniors.

As you know, we have almost 150 lodges in Alberta, and that's for 9,000 residents. The priority that the member has asked about, the priority for this funding, will be for our oldest lodges, especially those that are in need of renovation, and also for urgent repairs in other lodges; for example, boilers or roof repairs or whatever the community brings forward.

The Speaker: The hon. member.

Mr. VanderBurg: Well, thank you, Mr. Speaker. Again to the same minister: how can my foundation operators request this funding?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. As I said, we are focusing on lodges that would require urgent repairs and those that

have not been recently upgraded. I'd like to let this member know that that would include the Pleasant View Lodge in Mayerthorpe, which he mentioned in the question. You and those in the community that may be listening to this have to recognize that the Mayerthorpe lodge is over 40 years old and is in urgent need of repair.

As I told you, I did speak to 400 members of ASCHA last week. At that meeting of the annual convention I did let them know that we will be sending a letter. I think the letter went out yesterday or today, but it's this week. That letter will identify the funding and the requirements for the funding and how they can make application for this.

The Speaker: The hon. member.

Mr. VanderBurg: Thank you.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Vermilion-Lloydminster.

Continuing Care Standards

Ms Pastoor: Thank you, Mr. Speaker. The lack of enforced provincial standards in continuing care facilities has resulted in regions and facilities augmenting basic standards by issuing policies of their own, resulting in inconsistencies throughout the province. Families and residents are confused when it comes to identifying the basket of services and levels of care provided in these facilities. Alberta requires one set of provincial standards, administered by one department. My questions will be to the Premier. Mr. Premier, will this government take action to ensure consistency and equity throughout the province?

Mr. Klein: A very interesting question. As a matter of fact, we had a discussion about that very situation just a few days ago, and we're looking into it. If the hon. member has anything to offer, we'd be glad to receive her comments.

The Speaker: The hon. member.

Ms Pastoor: Thank you, Mr. Speaker, and thank you to the Premier for that answer. It does give me hope.

Can we expect this government to legislate province-wide standards of care to apply in both public and private settings by the spring?

Mr. Klein: Relative to legislated requirements relative to the level of care, I'll have the appropriate minister respond, I believe the Minister of Seniors and Community Supports.

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. I'm pleased to respond to the member's question. As we heard earlier in the Assembly, in May of 2005 the Auditor did bring forward in his report on seniors care and programs that the 1995 basic service standards for continuing care centres should be upgraded and enhanced.

Mr. Speaker, as we mentioned earlier as well, the Minister of Health and Wellness and I are working together in that regard, and it's actually a process that's been interesting because the member that has asked the question was on the task force that went out to the community with those standards. Those standards have come back, and they've been reviewed. They've gone back out to the community once again, and we will continue to work with what has come back, hon. member. You know that we will continue to work with that.

As far as legislation, though – and that was what your question asked about, legislation with the standards – that will go through the due process.

The Speaker: The hon. member.

Ms Pastoor: Thank you. My third question would again be to the Premier. Given that the problems with long-term care in Alberta are caused in part by the splitting of the responsibility for seniors between ministries, will this government consolidate all seniors-related care, programs, and services under one ministry, as it has been in the past?

Mr. Klein: Mr. Speaker, that pertains to the question that was asked first. As I mentioned, there was a discussion about this a couple of days ago amongst government members, and it is under active consideration.

The Speaker: The hon. Member for Vermilion-Lloydminster, followed by the hon. Member for Edmonton-McClung.

Oversize/Overweight Trucking Permits

Mr. Snelgrove: Thank you, Mr. Speaker. The tremendous growth in my area has not only resulted in bottlenecks in the road systems themselves but in the process to obtain the permits required in many cases move the equipment involved in this construction. Contractors have informed me that it's routinely a two- or three-hour wait on the phone, sometimes as long as four or five hours, to obtain this permit. My question is to the Minister of Infrastructure and Transportation. Has the department made him aware of this situation, and what steps has he taken to address it?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. Yes. Not just the department has made me aware of this, but I've had numerous complaints from truckers right around the province on this particular issue. Typically what we see around this time of year, when there are a lot of trucks being moved, is an increase in the number of certificates that are needed. In order to alleviate the backlog that the hon. member has asked about, we've done several things. First of all, you can put in for the certificate by fax, you can put in for it on the Internet, or you can simply phone in. The third thing that we have done is we've actually allowed four private registries in Alberta to also issue the certificates.

Mr. Speaker, I want to assure the hon. member as well that we're looking at going one step further, which is actually the outsourcing of this particular part of my department, with the exception of those intricate certificates that require engineering plans. We've got to make this work better. The three- and four- and seven-hour waits just are not acceptable, and I'll give my assurance to the hon. member that this will be looked at and will be rectified very, very soon.

The Speaker: The hon. member?

The Speaker: The hon. Member for Edmonton-McClung, followed by the hon. Member for Calgary-McCall.

2:00 Government Accountability

Mr. Elsalhy: Thank you, Mr. Speaker. Public trust in the integrity and fairness of government and the entire political process is at an all-time low. An all-party committee of this Assembly has just reviewed the Conflicts of Interest Act and has made numerous

recommendations that will at least begin to create the conditions for more open, transparent, and accountable government. Yet previous reports and recommendations for increased accountability have been rejected or ignored by this government. My questions are all to the Premier. Will the Premier listen to the committee and even his own caucus members and support the creation of a lobbyist registry so that Albertans can see who has the government's ear? Albertans have a right to know who is paying for those limousines on Wednesday evenings.

Mr. Klein: Mr. Speaker, I know of no limousines on Wednesday nights or any other nights. Maybe the Liberals have been accommodated in limousines, but I'm sure that none of our members have.

The Speaker: Hon. member, to the chair's knowledge the report of the committee has not been filed with the Legislative Assembly yet. The Assembly has no report to deal with. Hon. member, proceed.

Mr. Elsalhy: Okay. Not yet. That was just a draft.

However, my second question is also to the Premier. Can the Premier stop the revolving door between his government and the private-sector lobbying or consulting by supporting a legislated cooling-off period for ministers and senior officials for at least 12 months?

Mr. Klein: You know, first of all, we should wait for the report. But if you'll allow me to respond: 12 months may be okay. It might be okay for some ministers; maybe it won't be okay for some ministers.

You know, it's so easy for the opposition to say, "legislate this" and "legislate that" and "do this" and "do that" without examining the negative side of the issue. For every action there is an equal and opposite and often negative reaction. They would legislate the world, Mr. Speaker, without taking into account what the consequences might be. They're so willing to stand up and say, "legislate this" and "legislate that" and "do this" and "do that." Never, never, never do they stop to think about the consequences.

The Speaker: Hon. member, not only has no report been done yet. My understanding is that the report hasn't been finalized. There is no such thing as a draft report either.

So proceed with your third question.

Mr. Elsalhy: Okay. Discussions that we had in the all-party committee . . . [interjections] Okay.

Mr. Speaker, given that the employees of the Alberta Securities Commission are still too afraid to go public with their concerns about clear conflicts of interest within their organization, will the Premier support legislative protection for public-sector whistleblowers, or does he still believe that the verbal and generic assurances of protection offered by the Minister of Finance are adequate?

Mrs. McClellan: Well, Mr. Speaker, there was a definite comment directly on the Alberta Securities Commission. The hon. member should know that the Alberta Securities Commission has committed to have that policy in place by January 1, 2006, which I think is 31 days plus a few hours from now. To suggest that that isn't happening is wrong.

Deerfoot Trail Median Barriers

Mr. Shariff: Mr. Speaker, there have been two fatal collisions on Deerfoot Trail during the past six months in which vehicles crossed the grass median and collided with oncoming traffic. The deaths and injuries associated with these two crashes have taken a terrible toll on a number of families in the Calgary area. My questions are for

the Minister of Infrastructure and Transportation. What is the minister doing to prevent these types of collisions on Deerfoot Trail?

The Speaker: The hon. minister.

Dr. Oberg: Thank you very much, Mr. Speaker. We had this question asked by the families that were involved in the very tragic accidents that occurred along Deerfoot Trail. Quite simply, cars crossed the median, went into the other lane of traffic, and caused deaths on at least two occasions. Subsequently, I ordered a study to be done on that particular part of the road to determine if barriers were applicable. What came back was that, basically, the barriers should be put in place between 16th Avenue and Beddington. After seeing the report, I've actually taken it one step further, and we're putting in barriers from 16th Avenue right up to Country Hills Boulevard, and we're putting in a different type of barrier. This is a type of barrier that has been used in other jurisdictions and, supposedly, has quite superior performance in preventing cars from crossing the median into the oncoming lane of traffic.

The Speaker: The hon. member.

Mr. Shariff: Thank you, Mr. Speaker. My first supplemental is also to the same minister. Why is his department installing an untried barrier system in Alberta rather than concrete barriers?

Dr. Oberg: Mr. Speaker, this barrier system is a series of collapsible wires that are strung between posts, and the idea behind it is that when a car hits it, it actually envelops the car. Essentially like a spiderweb is probably the best example that I can give it. This particular barrier has been used all across North America, although it has yet to be used in Canada. This is the first time it's going to be used in Canada. What people are saying, though, is that it's much more successful because, quite simply, you don't bang off the barrier and go back into a lane of traffic in an uncontrolled spin. The barrier actually grabs the car, so to speak. So we really feel that this will be very, very effective on Deerfoot Trail, and we're going to be putting it in this spring at a cost of roughly a million dollars.

The Speaker: The hon. member.

Mr. Shariff: Thank you, Mr. Speaker. My final question is also to the same minister. If these barrier systems improve safety and work so well, is his department looking at putting them all along Deerfoot Trail and on other highways in Alberta?

Dr. Oberg: Mr. Speaker, one of the things we're looking at is where we can put these. We're trying them, obviously, first of all, between 16th Avenue and Airport Road. In those parts of the road that are much closer together, the issue is that it does have to be a very solid barrier because, as I explained, there's very much a give when a car hits it. We can't be having a car, despite the give, go on into the other lane of traffic.

So for those many other areas of the province, Mr. Speaker, through to the hon. member, where there is a separation of the two lanes of road, we are looking at this. We're trying it here first. Obviously, Deerfoot Trail has the most traffic of any of our highways in Alberta, and we hope that it's going to be very successful. As a matter of fact, we know that it's going to be very successful, and it's just a matter of where we continue to put it on. But I think this is good news for the citizens of Calgary and certainly good news for those people involved in the accident.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Beverly-Clareview.

Parks and Protected Areas

Mr. Chase: Thank you, Mr. Speaker. The importance this government places on parks and protected areas is evidenced by the fact that it has set aside only 4 per cent of provincial land, key natural regions remain unprotected, and park planning is woefully out of date. Clearly, this government has failed its role as an environmental steward within the 4 per cent of the province referred to as provincial parks. I would like to thank the Premier for agreeing to answer my first question. Mr. Premier: will this government set aside the 640 square kilometres in the Castle-Crown wilderness area for a wildland provincial park as a legacy to Andy Russell and in respect to the Peigan First Nation as a centennial Christmas present to all Albertans?

2:10

Mr. Klein: Well, it's a very interesting question and a very interesting proposition. First of all, I'd like to clarify something. I will answer the question, or maybe I should answer the question first, and I'll have the two ministers responsible reply specifically to the Andy Russell park.

What I want to comment on, Mr. Speaker, is the fact that in 1990 the late Don Sparrow and myself gave an undertaking to the Duke of Edinburgh that we would designate 12 per cent of Alberta land – not 4 per cent, 12 per cent. I understand that we're up to about 15 per cent – one five per cent – for ecological reserve, and that says a lot about this province.

Now, I'll have the hon. ministers of Community Development and Sustainable Resource Development . . .

The Speaker: Unfortunately, we're running along a little slower than I thought.

The hon. member.

Mr. Chase: Thank you, Mr. Speaker. I hope the Premier isn't counting the 8 per cent of our national parks.

My second and third questions are to the Minister of Community Development. When will this government complete the protected areas system by setting aside more land for parks through reinvigorating the special places campaign?

Mr. Mar: Well, Mr. Speaker, I'd like to first of all address the first area that he referred to, being the Castle region. In 1998 the Castle area was considered for inclusion in our special places initiative. A local committee at that time agreed to make and create the West Castle Wetlands ecological reserve and the Castle special management area forest land use zone.

I should say, Mr. Speaker, that there are many factors that have to be considered before you can create a park. In this area there are numerous energy and forestry resource commitments. We also have to further consider any impact that there may be on the local rural economy and the interests of local municipalities.

Now, by comparison, Mr. Speaker, we did create the Lois Hole centennial provincial park relatively quickly. There was a great deal of municipality support, all the areas that surrounded the park, there were minimal resource commitments, and this created the circumstances that allowed us to move very quickly on this. The number of issues involved in the Castle region would be much more numerous.

I don't foreclose on the possibility that some day we could do this, but in the meantime a great deal of work has to be done at the local level to have support for such a thing to take place.

The Speaker: The hon. member.

Mr. Chase: Thank you very much. My last question to the Minister of Community Development: will this government commit the necessary resources to restoring the decaying infrastructure in our current parks?

Mr. Mar: Well, Mr. Speaker, the hon. member himself knows about our commitment to this. In fact, my recollection is that during the last round of budgets he applauded the fact that we moved our capital budget for parks and their infrastructure from \$11 million to \$45 million. At the time my recollection is that he not only recognized this; he also applauded it. We are moving forward on our plans and how we will use that money to ensure that necessary infrastructure is fixed up. It goes: everything from park benches to roads to signage to making sure that things like washrooms are built and that the parks in fact look in the kind of condition that they ought to look in. We are proceeding on that.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Calgary-Bow.

Continuing Care Standards

(continued)

Mr. Martin: Thank you, Mr. Speaker. On page 45 of his June 2005 seniors care report Alberta's Auditor General states: "There are no minimum standards for housing, nursing and personal care [assistance] provided in assisted living" facilities. Yet the absence of standards has done nothing to slow down the drive to redesignate hundreds of long-term care beds across the province as so-called assisted living beds. My question is to the minister of seniors. How can the minister put the health and safety of vulnerable seniors at serious risk by continuing to allow redesignation of hundreds of long-term beds as designated assisted living without first having minimum standards of care in place?"

The Speaker: The hon. Minister of Seniors and Community Supports.

Mrs. Fritz: Well, thank you, Mr. Speaker. The member opposite knows that designated assisted living is intended for seniors who require a high level of personal care and support services, but those seniors do not have complex health care needs because those seniors, then, would require placement in a long-term care facility. As I said, the decision to convert a facility – and the Minister of Health and Wellness has previously said this in the Assembly – is made by the regional health authority based on their continuing care service plan to address the needs of the people in their region. Having said that, I will take that question under advisement for the Minister of Health and Wellness.

Mr. Martin: Mr. Speaker, the minister of health said yesterday that there were contractual arrangements.

The point that I'm saying is: who should Albertans believe? These ministers, who say that there are contracts and there are standards, or the Auditor General, who says that there are no minimum standards?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. As I said in an earlier question from the Member for Lethbridge-East, the Auditor General did say that the standards for continuing care from 1995 should be updated. That's the first step. There are standards from 1995. That's exactly what he said in this report. It's a different one than you're quoting from. Also, the long-term continuing care committee took that to the community. The community reviewed those 1995 standards. That came back to the long-term care committee. They then took it out again to the community saying: did we hear you correctly? The committee is evaluating that. There is a recommendation regarding those standards in their report.

What the Minister of Health and Wellness referred to yesterday in the Assembly is the contractual obligations of standards related to care services. I will continue to take that under advisement for the Minister of Health and Wellness.

Mr. Martin: Mr. Speaker, the point is that the same people who were in long-term continuing care are being shifted into assisted living. The Auditor General says that there are no minimum standards. How can the minister justify this approach in dealing with our most vulnerable seniors?

The Speaker: The hon. minister.

Mrs. Fritz: Thanks, Mr. Speaker. I will take that under advisement for the Minister of Health and Wellness as well.

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

Film Industry

Ms DeLong: Thank you very much, Mr. Speaker. I have a question for the Minister of Economic Development. Film in Alberta has had a very high profile this year with a few major stars visiting Alberta to film their movies. Some of my constituents have been thrilled by star sightings, but what benefit to the Alberta economy does a major movie production produce?

Mr. Dunford: None of us enter this House, Mr. Speaker, without some background and some experience. I recall that in the summer of 1989 or 1990 I happened to be working in the High River area at the time when *Unforgiven* moved into town to film in that area. Because it was on a contract with the local chamber of commerce, we were actually working with small businesses. It was just absolutely amazing to see the difference in that community when we had started our project, when *Unforgiven* came to town, and then, of course, as we finished off. It was tremendous.

Now, there are economists around that have more access to the numbers than what I do, but it's basically assumed that the multiplier effect is 1 to 10. So every dollar that is on a movie budget generally creates another \$10 inside that particular community. I can indicate to you, Mr. Speaker, then, that as the person in charge of the operations of the film commission we're taking a serious look at that to see if there's not some way that we could add more movies to the Alberta advantage.

The Speaker: The hon. member.

Ms DeLong: Thank you, Mr. Speaker. I have a question to ask the hon. Minister of Economic Development. These productions have typically gone to urban centres. With a nod to the Member for Battle River-Wainwright, what is the minister doing to encourage film in rural Alberta?

2:20

Mr. Dunford: We're now on to our rural development strategy, and certainly further development of the film industry in Alberta is very, very important to rural development. When you look around at the tremendous scenery that we have in Alberta, you can see why you have situations similar to a recent movie called *Open Range* done in Alberta, filmed in Alberta. I'm not a movie critic, maybe not even an expert on the movies, but, Mr. Speaker, I think that the Alberta scenery could be classed as a character in that particular movie because the scenery was just tremendous. Most of it was done in rural Alberta, and it just created a tremendous amount of economic activity out in the rural areas, where we want it to be.

The Speaker: The hon. member?

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

Child Care Standards

Mrs. Mather: Thank you, Mr. Speaker. In mid-October the province announced a plan to invest \$489 million in federal funding in child care programs for children up to six years old. Out-of-school care providers for children over six are not eligible for this federal funding, but this does not explain why the province has refused to take action to ensure that child care workers are on even ground. My first question is to the Minister of Children's Services. Given that out-of-school care staff require the same training and qualifications as those working with younger children, will the minister ensure that salaries and training are equitable for everyone in the child care field?

Mrs. Forsyth: Well, Mr. Speaker, that's a good question, and I'm pleased to answer that. Under the national child care plan that Alberta negotiated with federal Minister Dryden at the federal/provincial/territorial meeting, I brought that exact question up to Minister Dryden, that daycare just doesn't stop at the age of six, that it also goes to the age of 12. The answer from Mr. Dryden was: it's not on the table; I don't even want to discuss it. It's unfortunate that we're in a federal election right now, or I would encourage my hon. colleague to write the federal minister and tell him how important it is to continue daycare to the age of 12.

The Speaker: The hon. member.

Mrs. Mather: Thank you, Mr. Speaker. Are there any plans in place to extend the accreditation process to out-of-school care programs?

Mrs. Forsyth: Mr. Speaker, I think there are two points that have to be made. First of all, we have a review going on on the social care facilities, which is done by the hon. Member for Calgary-Fort. We also have a second review on the FCSS funding that is being done by the Member for Leduc-Beaumont-Devon. I'm looking forward to their recommendations on both of them.

The accreditation program that we brought forward in Alberta is the first in Canada, Mr. Speaker. In fact, Minister Dryden came here to look at it. We have had 97 per cent of the daycares and day homes in this province apply to be accredited. So it's very, very successful.

The Speaker: The hon. member.

Mrs. Mather: Thank you. What is being done to prevent the federal funding from becoming a business subsidy for large commercial, corporate daycare providers?

Mrs. Forsyth: Well, Mr. Speaker, I think the hon. member should know that this national child care plan that we did for Alberta was based on what Alberta parents wanted, and that's what we lobbied and fought for in our discussions with the federal minister. It's based on what Albertans wanted. They wanted choice. They didn't differentiate between a nonprofit or a for-profit. This plan was done on what Albertans in this province wanted for their children, and they wanted choice.

The Speaker: The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Meadowlark.

Private Postsecondary Institutions

Mr. Prins: Thank you, Mr. Speaker. My questions will be directed to the hon. Minister of Advanced Education. Earlier this year we passed Bill 1, which was designed in part to increase or improve access to education for students wanting to get a postsecondary education. Later this fall it was announced that there would be a tuition freeze to help students with their financial burden to access education. This loss of tuition funding to universities would be offset by an increase in their base funding. Unfortunately, the private, not-for-profit accredited university colleges were left out of this increased base funding, which was put in place to replace that lost tuition revenue, and put them at a distinct disadvantage. My question to the hon. minister: is our government working on a solution to this inequity?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. In fact, when we did the tuition rebate last year, it wasn't actually an adjustment to the base funding levels. What we indicated to the public institutions was that if they increased their fees, we would pay the increase for last year. So it was a grant that was made directly to the universities and colleges, essentially paying the tuition increase for the year rather than an adjustment to the base funding. In fact, it was at that time expressed as a one-time support.

Now, the hon. member is absolutely correct. In doing so, we unfortunately left out those students who were at the private, not-for-profit universities and colleges. The reason for that was that they are not under the Post-secondary Learning Act in terms of tuition control and tuition policy. I have indicated to the students and to the institutions as early as this spring, when we were discussing it, that we would consider including them if we could if the program was extended. I met with some of the presidents as recently as today to assure them that as we go forward, we'll look at how we might include them in that process given that it may be extended for an additional year. But it's not in the base funding; it's actually paying the increase. The problem was that the increases are limited under the Post-secondary Learning Act for public institutions but not for the private, not-for-profit.

The Speaker: The hon. member.

Mr. Prins: Thank you. A supplemental question: is the department planning to revisit the whole issue of base funding for all the private, not-for-profit institutions, the base funding which was set in 1989?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. In fact, we are looking this year at the whole funding formula. As members will recall, we have a five-year review of the funding formula as it relates to the public institutions. For the private institutions that are funded, members will also recall that there were four private institutions that were funded for publicly accredited programs, and this year we added an additional four. One of the original ones became an adjunct to the University of Alberta. So there are seven private, not-for-profit university colleges which are publicly funded in some manner.

The agreement to fund them goes back as far as 1989, and essentially at that time the agreement was to fund them at 75 per cent of the level of the implicit average of an arts and science course. We are reviewing that process, and I've invited the private, not-for-profit university colleges to be involved in that review and provide us with their input as to why and how they should be included.

The Speaker: The hon. member.

Mr. Prins: Thank you. My second supplemental question is also related to private institutions. Will the government also include the private institutions in the common application process for entrance to the public institutions?

The Speaker: The hon. minister.

Mr. Hancock: Thank you, Mr. Speaker. This again is a topic in which I've had a lot of input from private, not-for-profit university colleges. We promised in Bill 1 that there would be a common application system. We've worked with the public institutions. We've asked them to design it. They have taken on the challenge of designing it and, unfortunately, in doing so have not consulted with the private, not-for-profit university colleges. I have talked to the ACTIA group and the university groups that are involved in putting the design together and asked them to consider the university colleges. It is in the best interest of students and learners across the province that there be a common application that all of them can be involved in. It would be my hope that if it can't be done immediately as the system is designed that it certainly be accommodated as soon as possible in that one-stop application system.

The Speaker: Hon. members, six members today will participate in Members' Statements. Prior to calling on the first one, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(reversion)

The Speaker: The hon. Minister of Advanced Education.

Mr. Hancock: Thank you, Mr. Speaker. I indicated in answering a question that I had met as early as today with some members of the private, not-for-profit university colleges. I introduced Dr. Terry Downey earlier. My eyesight wasn't quite good enough to spot Dr. Harry Fernhout, president of The King's University College. Dr. Fernhout recently arrived from Ontario to take over and be installed as president of King's University College in September. So we welcome him as a new Albertan. I'd ask him to rise and receive the traditional warm welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. It's my very great pleasure to introduce to you and through you to all members of the Assembly one of the truly great schools in my constituency. Today in the public gallery we have joining us 52 students from Victoria school. I must say that these students are very professional looking today. They have taken their visit to the Legislative Assembly very seriously, and they are extremely well turned out for our benefit. I'd like to acknowledge those students. With them today are teachers Ms Jan Antoniuk, Ms Carla Kerr, Mrs. Judy Sills, and parent helpers Mr. Mark Nicoll, Mrs. Karen Grant, and Mrs. Denise Green. I would ask them all to please rise and receive the traditional welcome of the Assembly.

head: 2:30 **Members' Statements**

The Speaker: The hon. Member for Highwood.

Foothills Country Hospice Society

Mr. Groeneveld: Thank you, Mr. Speaker. It is my pleasure to rise today to recognize the efforts of the Foothills Country Hospice Society. This society was created several years ago with the goal of

building and operating a free-standing, nonprofit rural hospice near Okotoks. This will be first rural hospice in Alberta; in fact, I believe the first rural hospice in Canada.

Through concerted fundraising efforts and generous donations from individuals, businesses, and service clubs the hospice society has raised \$2.5 million to date. In addition, eight acres of rural land were donated, paving the way for the construction of this country hospice.

Last Saturday I attended the ground-breaking ceremony for the construction of this new facility. This home will have eight beds, four providing palliative care to residents and four providing respite services. The respite beds are designed for short-term admission for people who are being cared for at home and require expert symptom management. This will give family members providing care a chance to have a short break and to recharge themselves.

At present it is hoped that the hospice will be ready to provide care services by late next year. This facility will provide services to the towns of Blackie, Turner Valley, Black Diamond, Okotoks, High River, Longview, and Cayley and all the residents of the MD of Foothills and the surrounding areas.

The achievement of the Foothills Country Hospice Society is not only admirable but also remarkable because the money raised has been done solely from the community with no government funding whatsoever. I would like to congratulate all those who have been involved in this project and thank them for their hard work and dedication. I would also like to recognize the community for their generosity and donations and for their support of this most worthy project.

Thank you.

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

Caritas Health Group School Lunch Program

Ms Blakeman: Thank you very much, Mr. Speaker. This is the 13th year that the Caritas Health Group has been cooking lunches for inner-city students in the Edmonton City Centre Church Corporation school lunch program. Every school day since 1993 the Caritas Health Group nutrition and food services team has delivered hot lunches prepared in their facilities at the Misericordia and General hospitals to Edmonton schools, and the General is in my riding of Edmonton-Centre.

From an original two the service now provides for 12 schools, feeding nearly 2,300 students in the Edmonton inner city. The hot meals, which include fresh fruit and milk, provide at least one-third of the children's daily nutritional requirements. Any leftovers are distributed to the families. The cost to the parents is \$1 a day, but the meals are delivered to all children regardless of ability to pay. As the actual cost of these meals is \$2 a day, the remainder is made up by a group of donors including the Caritas Health Group.

Teachers find that students who receive the program benefit from improved morale, behaviour, attendance, concentration, and overall ability to learn. Students who eat a filling, nutritional lunch do better in school.

Mr. Speaker, it gives parents a sense of comfort to know that they can send their children to school and be assured that they will receive a nutritious hot meal, especially when those parents can't afford to provide a balanced lunch or sometimes any lunch at all.

Please join me in recognizing the valuable and generous work done by the Caritas Health Group in providing almost 2,300 Edmonton inner-city students with a nutritious hot lunch every day. I'd especially like to mention Gem Catering, who provide the food services at the General and whose fabulous carrot cakes have enhanced all of my centennial medal and medallion presentations this year, including those of the 11 centenarians at the General's long-term care.

Thank you very much.

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

SuperNet Learning Resources

Ms DeLong: Thank you, Mr. Speaker. Completion of the Alberta SuperNet has opened the world to students and teachers in Calgary schools. SuperNet video conferencing and LearnAlberta.ca are opening up the world for our students and our teachers in Calgary and throughout the province. This technology, reach to teach, allows teachers to learn about the world from experts in their field and about the universe from scientists at the Canadian Space Agency, for example. Through unique partnerships LearnAlberta.ca provides students with learning resources unavailable anywhere else.

LearnAlberta.ca is a website that provides engaging and interactive learning resources that are directly tied to Alberta's curriculum. It also includes a number of online resources that are available 24 hours a day to support those students in French programs or in French immersion. Teachers can use these resources in classrooms to illustrate concepts as part of their lesson plans. Students can access the resources to review key concepts, enrich project work, enhance homework sessions, and explore new ways of thinking and learning.

LearnAlberta's online reference centre, a suite of electronic databases and encyclopedias, is particularly helpful with all kinds of project work. Parents with Internet access at home can log on during homework sessions to discover how their child is understanding a particular topic.

Together, SuperNet and LearnAlberta.ca are providing innovative approaches to learning. This is crucial to the future success of Albertans in a knowledge-based economy infused with technology. SuperNet will help all schools to have equal access to the educational treasures of LearnAlberta.ca. My constituents are excited about these resources that enhance learning in the classroom and at home. I encourage all students, teachers, and parents to log on to LearnAlberta.ca and take advantage of this incredible collection of teaching and learning resources provided by Alberta Education.

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

Governor General's Awards for Excellence in Teaching Canadian History

Dr. Morton: Thank you, Mr. Speaker. Each year there are nine Governor General's awards presented nationally for excellence in teaching Canadian history. This year four of those nine awards are going to Alberta teachers. After parents, primary and secondary schoolteachers are often the most important people in our children's lives, so I'm pleased today to share with you the stories of these four award-winning educators from Alberta who developed unique methods to encourage our students to uncover pieces of Alberta's rich history.

The first two, Mr. Speaker, Ms Lorretta Stabler and Ms Patti Thorne, teach grades 4 and 5 at the Millarville community school in my constituency of Foothills-Rocky View. This dynamic duo was selected from 190 nominations nation-wide to receive the Governor General's award. They developed a year-long, hands-on archaeology project literally in the school's backyard. Through this project wider cultural connections were fostered as students conducted online research, comparing artifacts found in their own dig with other Canadian archaeological digs. The Millarville community school project has attracted attention from schools in the United States and Great Britain.

The third Alberta teacher to receive this prestigious award is Mr. Jean-François Bélanger, a teacher at école primaire King George in Calgary. Mr. Bélanger has been recognized for helping students to become personally involved and gain first-hand experience in their

historical studies. One such project was the re-creation of the transatlantic voyage to New France. In another, Mr. Bélanger facilitated student involvement with scientists in Canada's Arctic.

Ms Linda-Rae Carson, a teacher at Harry Ainlay high school in Edmonton, is the fourth recipient from Alberta. Ms Carson has developed a grade 10 program called the Canadian Historical Identity.

Mr. Speaker, I'm pleased to honour these four dedicated teachers who have made a difference in their students' lives and who have helped make Alberta's education system the best in Canada.

The Speaker: The hon. Member for Leduc-Beaumont-Devon.

2:40

Kevin Robins

Mr. Rogers: Thank you, Mr. Speaker. In October the Alberta Urban Municipalities Association, or the AUMA, held their annual conference in Calgary. Each year the AUMA recognizes the accomplishments of one outstanding chief administrative officer in an Alberta community by presenting that individual with the dedicated chief administrative officer award.

Mr. Speaker, I rise today to acknowledge this year's recipient, Mr. Kevin Robins of the city of Leduc, for long-term excellence and commitment to municipal government and administrative management. This award recognizes Mr. Robins for his contributions in the field of municipal administration through dedicated service to the city of Leduc, for his 11 years of leadership. It recognizes exemplary work in several areas. Excellence in leadership, policy development, council relations, human resources and financial management, strategic planning, community relations, professional development, and many other areas are acknowledged through this award. Mr. Robins has been recognized by Leduc city council through their nomination and, in turn, by the AUMA as they honoured him by presenting him with the dedicated chief administrative officer award.

Prior to becoming Leduc's city manager in 1994, Mr. Robins spent 12 years on the city of Leduc fire department. In 1982 he was hired as the city's first full-time fire chief, making him the youngest chief in the province, laying the foundation for one of Alberta's most exceptional volunteer fire departments today. The province is fortunate that he has chosen to continue this tradition of excellence through continued service to the city of Leduc and the residents of his community.

Mr. Speaker, Alberta's municipal administrators continuously show unparalleled commitment to building strong and successful communities and, in turn, a strong and successful Alberta. I know that the Minister of Municipal Affairs and all members of this Assembly join me in extending their best wishes and congratulations to Mr. Kevin Robins for his ongoing dedication and for this achievement.

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

Linda-Rae Carson

Mr. R. Miller: Thank you, Mr. Speaker. I would like to begin my remarks this afternoon by acknowledging the tremendous contribution of the leadership students at Harry Ainlay high school to the centennial medal presentations made by myself and our Lieutenant Governor a few weeks ago. These incredible young people volunteered their time and talent as hosts and hostesses, sound and lighting crews, ushers, and musicians to make this a truly memorable occasion for 37 outstanding Albertans.

Mr. Speaker, we all recognize that leadership skills in students are a result of tremendous leadership examples by their educators, and Harry Ainlay is blessed to have one of this country's very best. On Tuesday at Rideau Hall in Ottawa Linda-Rae Carson was presented with the Governor General's award for excellence in teaching

Canadian history. Students and teaching colleagues joined together in nominating her for this most prestigious honour.

Ms Carson won the award for developing a learning program based on the theory that her students bring more historical skills to class than previously thought. Students interview their parents and grandparents as they explore their family's histories in the past 100 years, and then they compare their findings to Canada's history over the same time frame. She also includes interactive games and role-playing to make the subject come alive. Ms Carson attributes her love of history to her own family roots, particularly her father, who also taught history.

Mr. Speaker, it is through the remarkable talents of teachers like Linda-Rae Carson that our children are enabled to grow into the fine young leaders we know they are capable of being. I would ask all members of this Assembly to join me in congratulating her for receiving this distinction.

Thank you.

head:

Presenting Petitions

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. I would like to table a petition today which has 229 signatures on it, bringing the total amount of signatures for this petition to 1,015. Signatures were collected by Lynda and Ron Jonson of Seniors I Care. The petition calls for either the reinstatement of the 25 continuing care beds that Hinton had before the Good Samaritan Society and Aspen health region changed it to a designated assisted living facility or, failing that, to committing to building a new 25-bed continuing care facility in Hinton.

Thank you.

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

Mr. Backs: Thank you, Mr. Speaker. We're pleased to present a petition from 318 Alberta tradesmen and -women from the communities of Mundare, Lloydminster, Two Hills, Athabasca, Drumheller, Barrhead, Forestburg, Three Hills, Goodfish Lake, and other communities. It reads,

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to prohibit the importation of temporary foreign workers to work on the construction and/or maintenance of oil sands facilities and/or pipelines until the following groups have been accessed and/or trained: Unemployed Albertans and Canadians; Aboriginals; unemployed youth under 25; under-employed landed immigrants; and displaced farmers.

Thank you, Mr. Speaker.

head:

Introduction of Bills

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

Bill 217

Election (Electoral Reform) Amendment Act, 2005

Mr. Taylor: Thank you, Mr. Speaker. I request leave to introduce a bill, being private member's Bill 217, the Election (Electoral Reform) Amendment Act, 2005.

The purpose of Bill 217 is to strengthen democracy in Alberta by introducing fixed election dates for provincial elections and establishing a citizens' assembly representative of all Albertans to assess and make recommendations on reforming our electoral system.

Thank you, Mr. Speaker.

[Motion carried; Bill 217 read a first time]

head: **Tabling Returns and Reports**

Mr. Doerksen: Mr. Speaker, I have three tablings today. First, I'm pleased to table in the Assembly nine copies of amended Motion for a Return 18.

My second tabling is five copies of the Alberta Heritage Foundation for Medical Research community report, which is in the form of a 2006 calendar, including the program and financial highlights for the triennial reporting period of 2002-2005 and for the past fiscal year of '04-05. These documents have already been forwarded to all MLAs and the Legislature Library directly from the foundation.

Mr. Speaker, my final tabling is five copies of the iCORE, which stands for Informatics Circle of Research Excellence, '04-05 annual report with the financial statements for the year ending March 31, 2005.

The Speaker: The hon. Minister of Sustainable Resource Development.

Mr. Coutts: Thank you, sir. I'm pleased to table nine copies of a response to Written Question 19, which was accepted on April 18, 2005, looking at reforestation timelines, and also a response to Written Question 28, accepted on May 2, 2005, looking at loss due to theft in the Department of Sustainable Resource Development. Original copies have also been sent to the hon. Member for Edmonton-Decore.

The Speaker: The hon. Minister of Education.

Mr. Zwozdesky: Thank you, Mr. Speaker. As Minister of Education I'm very pleased to table letters of congratulations to the four outstanding Alberta teachers who were just awarded the Governor General's award for teaching Canadian history. Nine of these national awards were given out, and four of them came here to Alberta. What a tremendous accolade for our teachers. Very quickly, they are Jean-François Bélanger, King George in Calgary; Linda-Rae Carson, Harry Ainlay high in Edmonton; Patti Thorne, Millarville community school; and Lorretta Stabler from the Millarville community school. I might add that this is Lorretta's second time to win this award. Congratulations.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Johnson: Thank you, Mr. Speaker. I wish to table five copies of the Alberta Research Council's 2005 annual report. Since its inception in 1921 the ARC has been dedicated to furthering the economic prosperity and quality of life for all Albertans through its numerous innovation and research initiatives.

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

Mr. Taylor: Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition I would like to make three tablings today. First is the requisite copies of an *Edmonton Sun* news article from September 3, 2003, quoting the former labour minister as saying that the Alberta Labour Relations Board had no input in drafting of bargaining legislation.

Secondly, I would like to table two e-mails that prove that members of the Alberta Labour Relations Board had input into the Labour Relations Code amendment act.

Finally, Mr. Speaker, I would like to table a copy of the Alberta Federation of Labour news release calling for a public inquiry into the Alberta Labour Relations Board due to the conflict of interest

that occurred when key figures of the ALRB breached their role by actively participating in the drafting of legislation.

Thank you, Mr. Speaker.

The Speaker: I'm going to go through these and then make a comment with respect to that last tabling.

The hon. Member for Edmonton-Centre.

2:50

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to table five copies of Walton International Group's leveraged bundle investment scenario.

I have three more tablings, Mr. Speaker: copies of a land deal done by Walton International which affects what is happening here in Alberta, copies of frequently asked questions for purchasers of undivided interests, and, finally, copies of a Land Development complaint that is addressed to Walton International Group.

Thank you, Mr. Speaker.

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

Dr. Swann: Thank you, Mr. Speaker. I have three tablings, five copies of each: the first lists Walton International's executive management and board of advisors as found on its website in summer 2005, the second is the corporate registry for Walton International Group, and the third is political donations from Walton International to Alberta Conservative members.

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

Dr. B. Miller: Thank you, Mr. Speaker. I would like to table today four tablings: the first, five copies of an Alberta Securities Commission staff notice regarding the sale of undivided land, five copies of the reason for the decision of the Alberta Securities Commission regarding the case between the ASC and the Land Development Company, five copies of a notice of hearing for the matter between the Alberta Securities Commission and the Land Development Company, and five copies of an ASC new release entitled "Securities Can Include Interests in Land, Says ASC."

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

Mr. R. Miller: Thank you, Mr. Speaker. I have four tablings today, the first of which is from a constituent, Maxine Girard, who due to a medical condition is forced to apply for welfare and is pleading her case in that she doesn't believe anybody can possibly live on \$432 a month; a copy of a letter dated July 9, 2002, from Bennett Jones to Walton International indicating that the Alberta Securities Commission is closing the Walton file and stating that no further action would be warranted; five copies of an invitation to an overview of Walton's land banking business to be held at the Calgary Petroleum Club; and five copies of a letter to the Alberta Securities Commission dated February 24, 2004, from the Land Development Company in which the writer asks, "Does your favourable treatment to Walton's have anything to do with Ralph Klein's daughter working for Walton?"

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

Mr. Tougas: Thank you, Mr. Speaker. I'm rising today to table the appropriate number of copies of a petition featuring the names of 4,435 Albertans in opposition to the interim Métis harvesting agreement.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'm rising today with two tablings. The first is to table the appropriate number of copies of three letters from Lethbridge, from Mr. Peter Williams, Colleen Kullman, and Michelle Draper. All three letters express concerns about the low wages paid to people who work with adults with developmental disabilities and the recent budget cutbacks.

The second tabling is the appropriate number of copies of documents showing the chair of the Alberta Labour Relations Board at a Progressive Contractors Association golf tournament with the lawyer for Finning Canada the day before a Labour Relations Board decision, which is also appended, being tabled in favour of Finning and against the machinists' union, which was made the very next day.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Martin: Thank you, Mr. Speaker. I have two tablings today. I would like to table the appropriate number of copies of a letter sent to the Minister of Municipal Affairs from the city of St. Albert, requesting that the provincial education property tax be removed and that tax room be left to the municipalities.

The second tabling is a series of correspondence, including letters and e-mails, between the chair and two vice-chairs of the Labour Relations Board and the Department of Human Resources and Employment, indicating that the LRB helped in drafting regulations governing the restructuring of health care unions in Alberta.

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

Dr. Pannu: Thank you, Mr. Speaker. I rise to table the appropriate number of copies of records taken from the Alberta Health and Wellness website which show that privately delivered contract services in Calgary have much longer wait times than those delivered publicly in Edmonton, directly and completely contradicting the Premier's claim made in response to my questions in the House yesterday.

Thank you.

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

Mr. Eggen: Thank you, Mr. Speaker. I have two tablings today. First, I have the appropriate number of copies of a request from the Alberta Wilderness Association for an immediate moratorium on the development of the Kakwa-Narraway watershed until the full environmental assessments take place, in particular the impact on endangered woodland caribou.

My second tabling: again, the appropriate number of copies of a letter sent to Toronto's Bay Street corporations inviting them to a \$3,000 a plate fundraiser for the Alberta Liberal Party.

head: **Statement by the Speaker**
Tablings

The Speaker: Hon. members, I indicated when the hon. Member for Calgary-Currie made a tabling that I would make comment with respect to it. The hon. Member for Calgary-Currie basically tabled some newspaper articles, and I'll make quick mention of that but then say some other things about tablings, period.

Newspaper articles, as we all know, and the authenticity of newspaper articles, or in fact media reports, are not the subject of

question period in this House nor the subject of debate for authenticity. We all know that that's a special industry unto itself. The authenticity of reports in newspapers or the media are not valid points in this Assembly. So, quite frankly, in the past the Speaker has ruled that newspaper articles are not – not – to be tabled in the Legislative Assembly.

What's really quite ironic about this is that the hon. member who raised this issue with the chair in this Assembly on March 2, 1999, was a member of the Official Opposition and the former Member for Calgary-Buffalo, who took great exception at that point in time to the then Provincial Treasurer tabling some newspaper articles. After listening attentively to the arguments put forward by the hon. Member for Calgary-Buffalo – again, a member of the Official Opposition – the chair indicated that there is no way that we could handle the filing of newspaper articles should members wish to do this.

The chair at that time indicated that there would be an asterisk set in the official record, but the newspaper articles would be shredded and not filed. It seems to me that that policy then, going back to March 2, 1999, should not really be violated today simply because it's a reversal of members on various sides of the House. I'm sure all members would want the chair to be quite consistent with respect to this.

The chair has also noticed and has made comment before about tablings, which is a part of the tradition of the Legislative Assembly of Alberta, but it is not part of most parliaments that follow the British form of government. It is not part, as an example, of the Canadian House of Commons, where basically tablings are filed with the Clerk.

There was a situation in this Assembly a number of years ago when nearly two and a half hours were consumed one day in tablings. Two and a half hours. There was a reason for it that day. Members in the House were trying to basically make sure a certain piece of legislation was not to be addressed. So you have the potential, in an indirect way, of a filibuster occurring. We spend nearly 10 minutes a day plus 12 minutes a day on tablings in this Assembly.

Perhaps if there is to be a sojourn starting next week or two weeks from now or whenever it is, perhaps when the three Government House Leaders do meet, as they do meet, I know, on occasion, they might just want to talk about this whole question of tablings. We've got a good system in here with the Clerk. You'll note that all official records, statutory records, are tabled.

Then when members get up and editorialize or selectively take one group of words out of a tabling, you have the potential here of sparking great debate, leading to a whole bunch of other things in here which I know hon. members would not want to see happen because openness and transparency and honesty is what this is all about.

head: **Tablings to the Clerk**

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Cardinal, Minister of Human Resources and Employment, response to Written Question 42, asked for by Mr. Elsalhy on behalf of Mr. Chase on November 21, 2005; on behalf of the hon. Mr. Renner, Minister of Municipal Affairs, response to Written Question 30, asked for by Mr. Flaherty on behalf of Dr. Taft on May 2, 2005; return to the order of the Assembly MR 19, asked for by Mr. MacDonald on behalf of Dr. Taft on April 18, 2005; on behalf of the hon. Mr. Melchin, Minister of Energy, return to the order of the

Assembly MR 25 asked for by Mr. MacDonald on April 25, 2005; on behalf of the hon. Mrs. Forsyth, Minister of Children's Services, pursuant to the Social Care Facilities Review Committee Act the Social Care Facilities Review Committee annual report 2004-2005; and on behalf of the hon. Mr. Boutilier, Minister of Environment, pursuant to the Environmental Protection and Enhancement Act the environmental protection security fund annual report April 1, 2004, to March 31, 2005.

3:00 Vignettes from Alberta's History

The Speaker: Hon. members, before we go on, by way of a historical vignette – this is really a neat point today – in 1911, 94 years ago, the Third Session of the Second Legislature began. It was the first time – the first time – that a Legislature convened in this Chamber. So this room is actually 94 years old today.

head: **Orders of the Day**

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

Bill 43 Alberta Resource Rebate Statutes Amendment Act, 2005

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I rise with pleasure to move Bill 43, Alberta Resource Rebate Statutes Amendment Act, 2005, for third reading on behalf of the hon. Minister of Finance.

There's been quite a bit of discussion about the act and the fact that it amends three acts: the Alberta Personal Income Tax Act so that the rebate can be delivered as a refundable tax credit, the Fiscal Responsibility Act so that the cost of the rebate is not a charge to the contingency allowance, and the Child, Youth and Family Enhancement Act so that the rebate can be provided to children in care of the province.

There's been much talk about tax cuts versus rebates. The reality is that this allows a one-time return of monies to Albertans, a \$400 rebate to Albertans. As the Premier has said, Albertans are very intelligent people who can decide where they want to spend their money.

There has been a lot of discussion about what might have been done or could have been done. The only thing I would add to the debate, Mr. Speaker, is that the beauty of this Chamber and the beauty of this government is that there are a wide variety of opinions expressed. We truly represent the breadth of this province. Those opinions across the province as have been expressed to me and, frankly, opinions from my constituency that have been expressed range from strong support for the rebate to people suggesting that we should be spending the money on endowments, which I personally favour, or spending the money on capital projects not just for today but into the future.

The reality is that the government has struck a balance. We've committed resources to the endowment portfolio. Bill 1 provided for about 4 and a half billion dollars' worth of endowments. We talked about three additional endowment funds being considered, an additional \$500 million for the heritage medical research fund, all of which will do wonderful things to help prepare this province for a very, very phenomenal future.

A similar amount of money, if not more, has been allocated to the capital fund so that infrastructure can be built across this province for postsecondary education, for education, for the roads that support our economic platform, for health, and for many other areas that are

important to Albertans. And, yes, Mr. Speaker, under this bill about \$1.3 billion will be returned to Albertans as a tax rebate. That provides an excellent balance for Albertans so that the views of all Albertans as to how we should deal with natural resource revenue can be fulfilled.

I would ask members of the Assembly to support this bill in third reading.

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

Mr. Chase: Thank you very much, Mr. Speaker. My one short comment would be that if rebates are to be considered again in the future, could the process please happen within this Legislature before the \$10,065,000 advertising campaign takes place? Can we have full debate before granting this rebate for a second time?

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

Mr. Taylor: Thank you, Mr. Speaker. It's my pleasure to rise on third reading debate on Bill 43, the Alberta Resource Rebate Statutes Amendment Act, 2005. This being third reading debate, we are debating the anticipated effect of this bill once it becomes law, or perhaps the anticipated lack of effect, because \$1.3 billion or \$1.4 billion dollars in one or two or possibly even three large chunks can make a significant difference – a significant difference – to life in the province of Alberta. Handed out \$400 at a time, it represents \$1.4 billion in potentially forgone opportunities.

That's not to say that there aren't people in the province of Alberta who need these \$400 cheques. Indeed, they tend to be the people who have been neglected, marginalized, abused, misused, confused, and used by this government over the course of the last 12 years, and now this government believes that one \$400 cheque will make the boo-boo all better.

Well, Mr. speaker, I don't think it will, and I think there's a very good chance that, in fact, what it will do is create the very kind of expectation of entitlement, if I may use that word, that members on the opposite side of the House like to rail against from time to time as people who need that money hope and expect that they will get another \$400 cheque next year and another one after that and another one the year after that and so on and so on in a sort of Alaskan model. This government has indicated that that's not likely to happen, but it hasn't said absolutely that that won't happen.

There will be that hope out there on behalf of people who need the money and, frankly, for whom this government could do so much more should they abolish health care premiums for all Albertans, for instance; should they do away with the provincial portion of education tax and property tax, for instance; or should they do any one of a number of other things directly addressing the problem, in some instances by further increasing payments to people on AISH, for instance. I mean, there are a gazillion things they could do, and we don't have time to list them all off. So if they want to help those people who need the \$400, there are many more creative, more lasting, more beneficial things that they could do than to cut them a cheque for \$400 one time or even two times if they do it.

Had they instead looked after the needs of those people in years gone by and taken this money, in total \$1.3 billion, \$1.4 billion, and decided to do something with a lasting legacy endowment effect with this, then they could have made a difference. The access to the future fund is certainly a start on making a difference. There have been some starts on making a difference and credit to the government for what they've done in those areas as far as they've gone. They haven't gone far enough, but as far as they've gone, credit to the government for that.

For instance, \$1.4 billion could have created 70,000 daycare spaces in this province. It could have replaced the nation's entire fleet of 10,000 taxicabs and limousines with hybrid vehicles, making a long-term difference to the environment. It could have offered thousand dollar rebates to first-time buyers of hybrid automobiles, for instance. I mean, there are so many things that could have been done.

I heard a comment from a member opposite that: oh, that would work for one year, creating the 70,000 daycare spaces. But, you know, the \$400 cheques, for whatever purpose they were intended and for whatever purpose, Mr. Speaker, they will be used – and, yes, that decision will be an individual decision for each and every Albertan who gets the cheque – are only good for one time too. In fact, the Minister of Advanced Education kind of trumpeted this as a one-time opportunity, a one-time benefit. So, you know, you can't have your cake and eat it too.

There is, suffice it to say, so much more of a lasting benefit that we could have gotten out of this money, so many better ways to look after people for whom this \$400 cheque will make a difference. We've wasted a fair amount of money just setting up this program, more money advertising and trying to convince Albertans to go along with the government on this one, and it's been rather a silly waste of time, I think.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Mountain View.

3:10

Dr. Pannu: Thank you very much, Mr. Speaker, for this opportunity to speak on Bill 43, the Alberta Resource Rebate Statutes Amendment Act, 2005. The NDP opposition caucus has been on record with respect to the alternative ways in which this \$1.4 billion could have been invested in the future of Albertans, so I won't go into great details. I just want to underline how simplistic this approach that the government has chosen is. It takes no thought. Just write \$400 cheques to every child, every senior, everyone once and get rid of \$1.4 billion.

Many members have mentioned, including my own caucus members here, health care premiums. About 2,450,000 Albertans, about 90 per cent of all nonseniors, are subject to full health care premiums, and that's \$528 per person per year. This money could have been used to take that burden off Albertans' pocketbooks.

The basic personal income tax exemption, reducing tax by raising the personal income tax exemption to \$20,000 from the current \$14,523, a proposal that we have made in this House. At the current 10 per cent flat tax rate this would represent a saving of about \$550 per individual taxpayer per annum in Alberta personal income taxes and a total yearly revenue loss of about \$750 million to the province. This is another alternative that is available to the government, but it certainly has no vision about how to really assist Albertans on a basis that has staying power, that has some sustainable kind of future.

Regulating electricity and natural gas prices. Each 10 per cent reduction of rates would save Albertans about \$350 million per year, and Albertans have been loudly complaining about the growing and unbearable cost of keeping their homes heated and their furnaces going. There are many, many ways in which this huge amount of money could have been spent to provide real relief to a vast majority of Albertans.

Inner-city agencies such as the Bissell Centre here in this city are working incredibly hard to help people file income tax returns, and people are able to use these centres as a mailing address. These

centres could be helped. Homelessness in this province could have been addressed by using these monies. The tuition fees could have been rolled back by 10 or 20 per cent using this money, and that'll go a long way in sending a real kind of signal to Albertans, young and not so young, that this government is really committed to investing in the future of Alberta through making postsecondary education more affordable and really truly accessible to all Albertans.

So all of these could have been done, but the government chose, as I said, a way of doing it that lacks vision, that lacks a commitment to a systematic, thorough look at how we can ensure that our future is the one that receives the investments. Those investments must be made, Mr. Speaker, in increasing the capacity and ability of Albertans to add to the well-being of every Albertan in this province as well as strengthening the economic future of this province.

Environmental issues come to mind. Some of this money – \$1.4 billion is a huge amount of money – could have been used to encourage Albertans towards conservation in their use of energy whether it's the gas with which we heat our homes or whether it's the automobile that we use on a daily basis to go to work, back and forth. In all of those areas we need to conserve energy, stop waste, and these resources, the \$1.4 billion, could have been used in part to put in place programs that would help Albertans not only this year, this Christmas season, but also over the years by encouraging them to conserve energy and providing them the assistance that they need to move in that direction.

School property taxes is another issue where Albertans have been calling for relief. Our municipal governments have been calling on the government to take action on that side to vacate some tax space for municipal governments so that they could provide services that in all of our local communities residents need, require, and ask for.

All of these clear alternatives were simply not accessible to this government, that seems to have lost the capacity to look at the future and say: what are the best ways in which the resources and the public finances that are available to us can be used and deployed to secure a better future for all?

Thank you, Mr. Speaker.

The Speaker: Hon. members, I neglected to offer hon. members an opportunity under Standing Order 29(2)(a) to question the hon. Member for Calgary-Currie. We will not go retroactively in here to this. There is such an opportunity now available for the hon. Member for Edmonton-Strathcona. None?

The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you, Mr. Speaker. I do welcome the opportunity to make my first comments about Bill 43, Alberta Resource Rebate Statutes Amendment Act, 2005. It's certainly created a stir around the province and no less in my constituency of Calgary-Mountain View, where I heard very little support for the decision of this government and needed to get on the record in that respect.

There are a significant number of individuals who are low-income in my community. Only a few of them identified this as a boon and a help to them in their financial distress but felt that there was still real opportunity to do more and do a better thing for Alberta by spending it in a different way.

The bottom line, I think, in brief was that people were looking for leadership on our nonrenewable resource revenue, a one-time bonus for which we could leverage much better opportunities both in terms of resource development and in terms of economic returns for the future. The recurring question was: how is it that we are addressing the Alberta economic situation as being one without debt when so many of us are struggling financially, when there is still significant social disparity, and when we have serious environmental debts?

In that context, then, what could we do with the \$1.4 billion? There were a number of groups that got together in my constituency, meeting in the evenings to talk about alternatives. A host of creative alternatives were suggested, many of which will be followed up by either individuals or groups in the constituency. Certainly, investment in illness and injury prevention came up recurrently, reducing the demand on the health care system, providing a living wage for people on AISH.

In the environment sector the recurring theme in my constituency is water: the Bow River and the threats to its sustainability, the lack of understanding of what groundwater resources we have and how threatened they may be, and how we can manage the various basins more effectively through basin councils, all of which need a tremendous amount of financial support to do the research, to develop the information packages, and to educate their constituents to take a role in water preservation, water conservation, and water management.

Finally, in the energy sector a lot of ideas around incentives for energy efficiency, incentives for renewable technology, clean renewables. These would have lasting savings for all Albertans instead of a one-time benefit and indeed have spinoffs in terms of climate change and our contribution to reducing greenhouse gases.

In summary, Mr. Speaker, I'll just close with the statements that this is a short-term fix; it's not sustainable. It's equal, but it's not equitable. It's a feel-good but not a visionary decision. Albertans deserve better wealth management.

Thank you.

The Speaker: Standing Order 29(2)(a).

The hon. Member for Calgary-Bow to participate.

3:20

Ms DeLong: Thank you very much, Mr. Speaker. I believe in Albertans. I really do. I believe that they are really smart in terms of how they handle their money. I believe that by them having the money, they can do it the best way possible. I keep hearing about these ways of spending money as if this \$400 is just going to come and come and come.

People of Alberta are perfectly capable of taking their \$400, sticking it in the bank and getting, I don't know, 5 per cent, 10 per cent a year off of it. What does that come to? It seems to me it comes to, let me see, four times five is about \$20 a year, okay? If it's in their pockets, yes, they can have that \$20 a year from now on if that's the way they want to spend their money. They can use that to put against whatever possible tax they might have. What I just don't understand is how people might possibly think that \$400 one year is going to somehow pay out any of these taxes ad infinitum. How did that \$20 turn into I don't know what?

The Speaker: Well, Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity on Standing Order 29(2)(a).

Mr. Chase: Thank you for the invitation to participate. I would just like to ask the hon. member: are you not aware of the cumulative effect of an endowment fund? In other words, we put the money away, and then we just spend the interest. It's kind of like what you suggested on an individual basis. If you'd care to comment, I'd appreciate it.

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

Ms DeLong: Thank you very much. We have put money away in endowments, okay? There is money that we are continuing to put

away in endowments and, yes, that does work. But you can create your own endowment. You can take your \$400 and make your own endowment and get your money just exactly the same way as anybody else. There is no magic to so much more money in an endowment than what any of us can get.

The Speaker: Others?

Others to participate in the debate?

The hon. Minister of Advanced Education, then, on behalf of the hon. Minister of Finance to close the debate.

Mr. Hancock: Question.

[Motion carried; Bill 43 read a third time]

Bill 44

Residential Tenancies Amendment Act, 2005 (No. 2)

The Speaker: The hon. Government House Leader on behalf of the hon. Minister of Government Services.

Mr. Hancock: Thank you, Mr. Speaker. It's my pleasure to move Bill 44, Residential Tenancies Amendment Act, 2005 (No. 2) on behalf of the Minister of Government Services.

The bill has been debated and appropriately explained by the minister in previous stages. It basically provides for an alternative dispute resolution process for residential tenancies which makes dispute resolution more available and more understandable for tenants and landlords in the province. I would commend it to the attention of the Legislature.

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

Mr. Flaherty: Thank you, Mr. Speaker. I wish to close debate on behalf of my colleagues. I'm happy to say that my colleagues generally are in agreement with this direction of the dispute resolution model. We think it's beneficial to tenants and landlords. There are some issues that we would like addressed. We think the appointments to this board need to be open and transparent.

Administrators and dispute resolution officers need to be qualified individuals and properly paid, have suitable backgrounds to do the job, and supplemented with in-service training to do the job better.

Another question we have is: how will the dispute resolution board be paid or funded? We're asking the question: through fees collected and/or government funding? We'd like some clarification on that.

What fee will a citizen pay for utilizing this service? Will it be \$25, \$50, \$75? As we can appreciate, some of the particular citizens that would use this would lack resources to utilize this service.

We support the general direction of the bill. Hopefully, the minister will study the questions raised by my colleagues prior to implementing Bill 44, which we generally support and I recommend.

Thank you.

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

Dr. Pannu: Thank you, Mr. Speaker. I'd like to briefly comment in my closing remarks on the debate on Bill 44, Residential Tenancies Amendment Act. In my intervention in the debate at the time of second reading of the bill I did lay out some concerns. One that I didn't at the time but that certainly remains at the top of my mind, I think, is one I want to talk about, and that is that while the alternative dispute resolution mechanism looks attractive in that it

will save time for all parties and will hopefully reduce prolonged litigation and the attendant expenses, the inability of either of the two parties going before such a board to be able to appeal the decision is something that concerns me, especially so because this particular alternative dispute resolution board will have quasi-judicial powers, but it will not have the independence that we assume that our courts have.

It will be a board appointed by the minister, so my concern is that while the board has quasi-judicial powers, the lack of judicial independence that it will enjoy may create doubt in the minds of those who are unhappy with the decisions. Not providing people who are not happy with the outcomes of the decisions made by such an alternative dispute mechanism model the ability to go to the court to appeal the decision is something that concerns me.

That said, Mr. Speaker, I think it's something that we should perhaps experiment with. It's a pilot project that's then going to be under way in this city. I said to the minister earlier in this House that I would like to see the ministry report back to the House on the results of that one-year pilot project and seek the approval of this House for the continuation of this model into the future based on a review that, I think, I'm asking for the opportunity for this House to have.

Thank you, Mr. Speaker.

The Speaker: Standing Order 29(2)(a) is available.

The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Speaker. My comments are very brief and just to add to my colleague's interest in seeing how this might work. It's an experimental process that I think has some merit, certainly.

What I would like to focus my comments on would be the board and the composition of that board. What we would like to see perhaps is a province-wide board that could do adjudication work, sort of, envisaged by this amendment as well as to provide advice and information to all Alberta landlords and tenants. I think that this Bill 44 goes some distance to streamlining and to making it easier for disputes to be resolved, which is great. I just would like to put forward this idea and then to have a report back, as my colleague suggested, in a year's time or so to see how it's going.

There are many people renting in Alberta and many people moving into the province. It's coming and going. It's very important to expediate any disputes that might arise between landlords and tenants.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. There being none, and the chair seeing no other movement, shall I call the question?

Hon. Members: Question.

[Motion carried; Bill 44 read a third time]

3:30

Bill 45 Maternal Tort Liability Act

The Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. I'm very pleased to move third reading of Bill 45, the Maternal Tort Liability Act.

By way of this bill the government seeks to provide an exception to the common-law rule of maternal tort immunity, a very narrow

exception limited to the incidence of the negligent operation of a motor vehicle by a mother where the standard of care is clear. The compensation due to a child who is born as a result of the negligent operation of a motor vehicle by its mother and who is born with injuries resulting from that prenatal car accident is limited to the amount of insurance carried by the mother to prevent an infringement on her rights. This wording is consistent with the Supreme Court case that invited this legislation, and it's consistent with a 29-year law operating in the United Kingdom.

Thank you, Mr. Speaker.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'm pleased to stand to respond to Bill 45, the Maternal Tort Liability Act, at third reading. When I spoke about this in second reading, I emphasized that it makes a big difference, when you're looking at this bill, whose point of view you're looking at it from. If we approach this bill from the point of view of a child who is injured as a fetus when his or her mother was responsible for a car accident when she was driving, then in principle it seems to be fair that the later born-alive child should be able to sue for the insurance coverage. That's a gap in the present insurance laws, and the Supreme Court in the Dobson versus Dobson case allowed that Legislatures may develop a "carefully tailored" bill which would benefit both the injured child and his or her family without unduly restricting the privacy and autonomy rights of women. So what we have before us is such a carefully tailored bill which is trying to protect the common tort law to go any further.

The intent of the bill is to fill this needed gap, so certainly that's a beneficial step. However, if we look at this from the point of view of the pregnant mother – and these issues have been raised by all the members. I think there was a full debate on the issues of the extension of duty of care to her or the issue of the extension of tort law to a pregnant woman or the invasion of her rights to autonomy and privacy. Many members have addressed those issues. They're important issues, so in terms of the effect of the bill it's important that those issues were raised.

But the intent of the bill is, of course, to restrict tort liability. That's clear. The only question I have is in terms of the effect of the bill. Will it be successful in restricting tort liability?

Now, when insurance claims are made and there are court cases to deal with the complexities of accidents, especially when you have accidents where more than one person was injured – there are injuries in the other car as well as the injuries in the car that the pregnant woman is driving – it could get very complicated. How such situations are handled we'll see as courts deal with such situations. Hopefully, we don't have too many of them. I wonder if the principle that the common law should not impose liability on a pregnant woman isn't here and won't be in such complex cases comprised; in other words, their door will be opened just a little bit, and that might be a problem.

From the point of view of society and the common good many of us raised the question about the effect of this bill because it seems to us that the bill is quite limited. As many members have pointed out, insurance settlements may not be enough to ensure the care of a severely injured child who is injured in utero. Such children who are severely injured need support over the period of a lifetime. So I think that is a real problem. The effect of this bill is quite limited.

The majority judgment of the Supreme Court in Dobson versus Dobson made the important statement that the pressing societal issue is "the lack of financial support currently available for the care of children with special needs." Many of us expressed the view that

going the route of insurance is not enough. I mean, it's something, but it's not enough. Justice Cory in the Supreme Court judgment, speaking for the majority, suggested that "carefully considered legislation could create a fund to compensate children with prenatally inflicted injuries." Many of us addressed that issue, that governments have to do more than just allow for this insurance claim. We have to have some sort of fund to cover such severe injuries. That is not what we have in this bill.

The effect of this bill, I think, is too limited and does not address the real, tragic social problem. As I said in second reading, a social problem needs a social solution, which goes much further than this bill. So we need more legislation, a different kind of legislation, which will take care of this kind of tragic situation. At the same time, given the limited applicability or limited definition of this bill and what it tries to do to help a child who is so tragically injured to receive compensation, at least compensation through the insurance route, I would support it in principle even though I've offered so many caution signs.

Thank you, Mr. Speaker.

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

Dr. Pannu: Thank you, Mr. Speaker. In the third reading on Bill 45, the Maternal Tort Liability Act, I'd like to make some brief comments. The very limited scope and the limited ability of this piece of legislation to address the problem that it purports to address has already been noted. The built-in unfairness is another issue that I just want to draw attention to. Because it focuses on insurance coverage and the ability of the child who might have sustained damages when he or she was in the mother's womb, the bill allows such a person to sue the mother to claim some damages from the auto insurance coverage provided.

Now, we all know that the auto insurance coverage varies. Some people have only a \$200,000 liability limit, and others have \$2 million or more. Yet in the latter case a claim for 10 times more compensation could be made by a child who has suffered injuries that are similar to the child who can only make a claim up to \$200,000. So there's a fundamental question of equity here, and the bill does not deal with it.

Having made that point, Mr. Speaker, I just want to very briefly deal with the political implications of this bill. The bill, although limited in scope, focuses on a very limited problem and tries to fill a gap. It does, I think, raise the possibilities that antichoice groups, who have steadfastly opposed the right of pregnant mothers and women to make decisions about abortion – it could fuel that campaign of people who are anti choice, and I don't think we need to sort of open the door to that possibility. Women need protection. They need protection of their rights to make decisions about themselves, about their bodies, about their future.

3:40

Without undertaking the kind of legislative action that this piece of legislation is proposing, the very, very rare problem of children who are presently not covered under auto insurance, children who get injured while they're in a fetal state, could have been addressed by social policy. Social programs are needed to help families – mothers, parents, children – with special needs. That's been said here again and again and again. Simply moving step by step in the direction of transferring responsibility for such very difficult cases onto the shoulders of families or the insurance companies with which they deal is really abandoning a very, very important public responsibility by a government that proposes to take such an action.

So I think this act will not rectify the need, will not address the need that families with children with special needs have. It will create inequities, and it will probably open the doors for a very unpleasant, unnecessary debate on the rights of women to abortion. For that reason, Mr. Speaker, I will certainly not be able to vote in favour of this bill.

Thank you.

The Speaker: Standing Order 29(2)(a) is available.

Additional speakers? The hon. Member for Edmonton-Calder.

Mr. Eggen: Well, thank you, Mr. Speaker. I made most of my remarks in regard to this bill in second reading, and I do want to recognize the hon. Member for Peace River for his very steadfast and persistent work on this issue. Certainly, I can commend him for his contribution to this bill, as I would, once again, express my sympathy to the individual case that precipitated bringing this forward to the Legislature in the first place.

However, upon reflection on this bill, quite careful reflection, there is one further point that I did want to bring forward, and that is: you know, this bill is looking at a specific instance of a calamity that befalls human beings or, in this case, a fetal human being. Tort law covers all manner of these things, but just by the very essence of the fact that there are so many things that can befall human beings, so many calamities that can befall human beings, my question – and I think it's a very serious one – is: why would we construct specific legislation to deal with this one specific circumstance?

Now, I know, to answer my own question to a certain extent, that this is an extraordinary and rare occurrence that seems to be falling between the cracks of insurance law. Certainly, we do want to look after individuals that require special attention and special needs in our society, but I think that looking to the insurance industry in an untoward way to cover the needs of people in this circumstance is not really the best way to deal with this, especially to make legislation to deal with it. As I said before, there are so many things that can literally happen to a person, an infinite possibility, and that's what tort law is for. You know, for us to perhaps cross that boundary into the legislative arena to deal with these things has some essential lack of logic to it, I believe.

The second issue that I want to just reiterate I have spoken on before, but covering the financial concerns of people with special needs using private insurance I find to be somewhat, again, structurally unacceptable. We have a social responsibility as the state to look after people with special needs, and perhaps part of what brought on this individual case was not meeting those special needs of the person who, as it happens, was in a very remote area, so it's difficult. Creating a gap in the ability for us to provide special needs to people who require them I think is not, again, in the realm of looking at insurance to take care of that.

Once again, as I've described before, there is some opportunity, I think a very large opportunity, for litigation to push the envelope of this very narrowly prescribed law, which is of course the right of lawyers to do so.

So with those two main arguments, I find that I cannot accept supporting this bill at this time. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available.

Then shall I call on the hon. Member for Peace River to close the debate or call the question?

Hon. Members: Question.

[Motion carried; Bill 45 read a third time]

head:

**Private Bills
Third Reading**

**Bill Pr. 4
Brooklynn Hannah George Rewega
Right of Civil Action Act**

The Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. I'm very pleased and, in fact, honoured to rise today to move third reading of Bill Pr. 4, the Brooklynn Hannah George Rewega Right of Civil Action Act.

Mr. Speaker, this bill is very similar in form to Bill 45, which just passed third reading a moment ago, and of course it was purposely structured that way. The key difference in the bill is that it addresses the situation of one family that I'm aware of in Alberta that in the interim period between 1999, when this maternal exception was extinguished, and 2005, when by way of public policy the government is going to re-establish it, finds itself in this situation with a child that's handicapped.

Mr. Speaker, this bill is, of course, a private bill, recommended to us by the Standing Committee on Private Bills. I urge all hon. members to support it, and I thank them for the considered debate we've had to this point.

Thank you, Mr. Speaker.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'd like to briefly respond to this bill, Bill Pr. 4, just to say that I really commend the family for their persistence. They've had to wait probably for a long time, and it's commendable that they've had the patience to wait until this kind of legislation goes through the House.

My only problem in terms of the effect of the bill is that I worry that there are still some hurdles for that family to face in terms of court action. Of course, there is a law already in place in terms of insurance law to cover loss or damage for bodily injury to people. I think that an argument probably could be made that there was a law in place when this accident occurred. So insurance policy that was set down by this Legislature when it enacted section 616 of the Insurance Act would cover whatever is going to take place, but when that act was passed, it did not include thinking about hypothetical situations that may have to be dealt with in the future that are not covered by the act.

So I wonder about the status of this act when it goes to court. Would the insurance company then insist that the legislation that was in place when the accident occurred applies and it can't be changed? I don't know what the answer to that is. Maybe there's an easy answer, and I'm missing it.

3:50

Also, section 614 of the Insurance Act provides that every action or proceeding against the insurer under this contract in respect of loss or damage to the automobile shall be commenced within one year next after the happening of the loss and not afterwards, and in respect of loss or damage to persons or property shall be commenced within one year next after the cause of action arose and not afterwards.

So there is a statutory limitation, and that seems to strengthen the argument that the law is a reference to the law in place at the time and that that would prevail. So I'm just concerned about more lengthy court discussion in terms of what the insurance company is supposed to do.

It's interesting – and I hope this is not a problem with this bill; I

didn't have a chance to raise it before – that the bill actually does not refer to insurance liability. It makes a statement that liability can be applied to Mrs. Rewega, but there's no mention of insurance liability. I'm not sure that that is a problem, but I hope not.

So those are my only points in respect of the effect of this bill.

Dr. Pannu: Mr. Speaker, I'll be very brief in making comments on Bill Pr. 4, Brooklynn Hannah George Rewega Right of Civil Action Act. I'm profoundly sympathetic for Baby Rewega and family for the predicament that they have found themselves in given the state of our laws and ability or lack of ability on their part to seek available remedies. That predicament needn't have been there. We still have that capacity to create benefits for children born with a disability as a result of car accidents. We haven't done that. If we'd had that kind of arrangement in place, then Baby Rewega's family would have been able to avoid to a degree, at least, the financial consequences of the predicament that they were thrown into as a result of that unfortunate accident many years ago.

Other than that, I think that my concerns with respect to this bill are very similar to the ones that I've expressed with respect to Bill 45. Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available.

If not, and no further speakers, hon. Member for Peace River, would you like to close the debate, or should we call the question?

Mr. Oberle: Mr. Speaker, I'll call for the question.

[Motion carried; Bill Pr. 4 read a third time]

head: **Government Bills and Orders
Third Reading
(continued)**

**Bill 46
Criminal Notoriety Act**

The Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. It's my pleasure to move Bill 46, the Criminal Notoriety Act, for third reading.

I appreciate the input and comments we received from all the hon. members. We seem to all agree with the intent of this bill. It's obvious to us that no one should profit from serious crime. There were some concerns regarding the purpose of passing this legislation when we do not have an extensive collection of books at the local library that recount crimes, that perhaps there's no point. There were also concerns raised that there needs to be a consistent approach across the country for this legislation to be most effective.

Mr. Speaker, Albertans expect us to be proactive whenever we are able. We have the opportunity to make our province inhospitable to those who wish to profit from the inappropriate recounting of their crimes. We do not need to wait until the first book is published in Alberta to know that it is wrong for criminals convicted of serious offences to profit in this way.

Mr. Speaker, there are several questions still outstanding that I would like to address. It's important that Albertans know that we have answers to the concerns raised by members of this House. I would like to emphasize that the overarching purpose of Bill 46 is that persons convicted of serious crimes should not profit from recounting their crimes in a book, movie, on television, or on the Internet. The bill does not eliminate all possibilities that a serious offender may publish a story about their life. Alberta strongly supports the right of freedom of expression. This bill is not intended

to violate that right. Everyone has the right to tell their story, but it is unacceptable that someone convicted of a serious crime should profit from it.

As the hon. Member for Edmonton-Glenora noted, there is a great deal of sympathy for victims when a criminal publicizes the details of a crime. Even in a society that seems to be fascinated by graphic detail, the thought of a serial killer making millions selling his or her book is repugnant. On the other end of the spectrum is the success story of a young person who got into trouble but turned their life around as a result of incarceration. This bill also strikes an appropriate balance between freedom of expression and the protection of victims of crime and their families.

There are two parts to consider when we look at the aim of this legislation. The first is that the book, movie, or television show must actually recount the crime. The second is whether the criminal or the agent will profit from recounting it. The hon. member expressed concern about passing legislation that blankets all situations with one law. Section 8 of this bill provides for flexibility. Section 8 says that the court may order payment of consideration in accordance with the contract if the court is satisfied that there is some value in the recounting. The parties to a contract who wish to receive compensation under the terms of the contract may apply to the Court of Queen's Bench. Under this section it is up to a judge to consider the specific circumstances of the story a person wishes to tell. Again, we must bear in mind that the bill does not apply to every story an offender wishes to tell. It applies specifically to the recounting of the crime.

Some of the examples raised by the hon. Member for Edmonton-Glenora in second reading would not be an issue in relation to this legislation as they do not involve recounting crimes. The bill applies only to contracts for the recounting of crime. It does not apply to contracts for books about prison conditions or unjust laws, so a journalist writing as a co-author with a prisoner on prison conditions or someone writing about an unjust law would be able to publish a book.

If a journalist or some other person writes a story about the details of a crime on his own and not as an agent of the criminal, this does not violate the act. If the wife of a convicted criminal wished to write a book that recounts his crime, she would be deemed to be acting as his agent under section 1 of the act unless she can prove that she is not. If her book does not recount his crimes, it does not come under this bill, and she would be free to write it and be compensated for it. If it does recount his crimes, she must apply to the court regarding compensation.

Occasionally offenders wish to write an autobiography in order to warn others against falling into the same life of crime. If the book recounts the offender's crime, the act applies, and the parties can apply to the court for payments to be made under the contract. If the judge finds value, based on specific criteria listed in section 8, the offender may receive compensation for the story.

The hon. member also suggested that this bill is simply another sanction in addition to the sentence already imposed for the crime. This is not the case. Bill 46 does require that parties to a contract give notice to the Crown of contracts that they have entered into. It also regulates how compensation is paid and received under those contracts. Contraventions of these provisions are offences and are subject to fines upon conviction. This means that a contravention of this legislation would be a new offence. Any penalty is imposed for a new crime, not for the original Criminal Code offences.

The hon. Member for Edmonton-Rutherford asked about someone who testifies against a co-conspirator, and before we conclude, I'm happy to provide the clarification he requested. Mr. Speaker, if a person is convicted of a crime that falls within the definition of a

serious crime, then the act applies. If not, the act does not apply. If as part of a plea agreement someone is convicted of a crime that is not a serious crime under this bill, the legislation does not apply to them.

I thank the hon. members for their support of this bill and ask for your further support in third reading. Thank you.

4:00

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

Dr. B. Miller: Thank you, Mr. Speaker. I stand to respond in third reading to Bill 46, the Criminal Notoriety Act. I thank the hon. Member for Red Deer-North for those explanations. Third reading is not the time to debate back and forth those points that were raised. I think the qualifications and clarifications that the hon. member has made are really helpful. I must respond positively that if one reads this bill very carefully, the hon. member's remarks and interpretations seem to clearly apply.

My question is still: will this bill have any effect? Will it have any effect at all? I think the hon. Member for Edmonton-Meadowlark raised that issue. He consulted with the library and couldn't find any books written by notorious criminals in Alberta. We're wondering whether we're spending a lot of time dealing with an issue that may not have very much applicability at all. Nevertheless, as has been pointed out, people who have committed serious crimes elsewhere in Canada may end up in Alberta sometime and may write a book specifically about their crime, and this bill, of course, would apply to those examples.

In conclusion, I think that if we're going to really make a great effort to prevent crime – and that must be the most important thing for all of us as legislators – we have to bring legislation that applies to that, not something like this. I'm still having questions about constitutional challenges to this bill, especially in regard to a prisoner who has served time and is out. All the freedoms that are ours under the Charter apply to such people. That person might indeed challenge this bill constitutionally under the Charter, section 2(b), especially freedom of expression, freedom of the press, and so on, although as the hon. Minister of Advanced Education argued, when you craft some legislation, you don't worry about Charter challenges down the road. They might happen; they might not.

Those are my remarks. I don't think this bill is going to have tremendous effect on much of anything. It took a lot of time in the House. I would prefer to see legislation really dealing with the prevention of crime in Alberta. Nevertheless, this is something that in principle I would vote in favour of.

Thank you, Mr. Speaker.

The Speaker: Shall I call the question?

Hon. Members: Question.

[Motion carried; Bill 46 read a third time]

Bill 47

Alberta Association of Former MLAs Act

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Johnson: Thank you, Mr. Speaker. It's a pleasure to rise and move third reading of Bill 47, the Alberta Association of Former MLAs Act.

This bill would create an association which could utilize the knowledge and experience of former MLAs to promote the ideals of

parliamentary democracy.

Mr. Speaker, this bill has been well debated during both previous stages of debate in this House, and it was amended last night during the committee stage. In light of this extensive discussion, I will simply ask the House for their support of this bill at third reading.

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

Dr. Swann: Thank you, Mr. Speaker. It's a pleasure to rise for the final time on Bill 47 and say that this is an interesting and potentially useful addition to organizations in the province and particularly a role for past MLAs in Alberta. The opposition, however, has made some suggestions to improve it, as was discussed in the House last night, amendments that we feel would strengthen it.

Trust in government is absolutely fundamental to a healthy, just society. Trust is achieved when government acts in ethical ways and is seen to act in ethical ways. The political climate in Canada today is perhaps unprecedented in terms of the lack of trust in elected officials. I think that in that context we in the opposition recommended some amendments that would deal with the profound loss of trust in elected officials, which contributes to a democratic deficit in this country, part of which we're about to face with another election nationally. The danger here is that this new opportunity for former MLAs may be perceived not to be contributing to the well-being of society through this association but to a culture of entitlement, which is precisely the issue that's at stake across the country at this time, and diminished trust in our government.

We recommended several amendments, which I could summarize by indicating that, in the first instance, it would be more appropriate and more supportive of democracy to amend the clause relating to appointment of officials to that of election of an executive. This was supported by the majority of the House last night. The second essentially had to do with prohibiting applications for funding from former MLAs to present MLAs, to government. This clearly could be seen to be an abuse of power that continues after the term of an MLA. The third had to do, essentially, with a cooling-off period such that the influence that former MLAs might still hold within the province with the connections they have could be perceived to be not helpful to the greater cause of this association.

For those reasons and in closing, on behalf of the Official Opposition we cannot support this bill. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Cardston-Taber-Warner.

Mr. Hinman: Thank you, Mr. Speaker. I'd just like to be brief and say that I commend the hon. Member for Wetaskiwin-Camrose in his intent here. I felt that there were some very good amendments that came forward yesterday. We passed one. It still is of great concern to me that there's a connection between the former MLAs and the sitting government, and I'm disappointed that we didn't pass more amendments. For that reason I, too, will be voting against this bill. We had an opportunity to make it nonpartisan, but I don't feel that the way it's structured, it will appear that way to the public.

Thank you.

The Speaker: Standing Order 29(2)(a) is available.
Additional speakers?

Mr. Chase: I just would like to thank all members who participated in the discussion, including the amendments, last night. It was a very positive process, and I'm very thankful to the government members for accepting the amendment that we had.

What hasn't been dealt with is autonomy. For this club to have respect, it must be autonomous from the government, whether it be in funding or whether it be in influence. Thank you very much.

The Speaker: Standing Order 29(2)(a) is available.

Additional speakers?

Shall I call on the hon. Member for Wetaskiwin-Camrose to close debate?

[Motion carried; Bill 47 read a third time]

Bill 49

Police Amendment Act, 2005 (No. 2)

The Speaker: The hon. Solicitor General and Minister of Public Security.

Mr. Cenaiko: Thank you very much, Mr. Speaker. I'm pleased to move third reading of Bill 49, the Police Amendment Act, 2005 (No. 2).

The main purpose of the proposed legislation is to streamline and enhance the Law Enforcement Review Board's effectiveness in how complaints are handled by police and how the police disciplinary process works. Specifically, it's proposed that the chair of the LERB be given the authority to appoint one board member to deal with preliminary or procedural matters. The amendment also gives the board the authority to establish subpanels with the same powers as the full board, which would sit simultaneously in different regions of the province.

4:10

An amendment of this bill that will directly benefit Albertans concerns the change to the rules of evidence. Currently when Albertans complain to the LERB, they must follow the rules of evidence used in judicial proceedings. These rules are stringent and unnecessary. The amendment would see the board use the principles of natural justice, which follow an approach based on common sense. This change will help Albertans understand the process without having to obtain legal counsel. The proposed amendments also clarify the role and powers of the board to assess costs and pay expenses.

The Police Amendment Act also covers the minister's responsibility for policing standards. This amendment has a minor wording change to clarify that standards for policing include police commissions and committees, not just police services.

Mr. Speaker, I believe I have highlighted the key points of this bill. I'd like to take this opportunity to thank our department staff for their hard work in drafting this bill as well as stakeholders for their invaluable input on this very important issue. I'd ask all members to support this bill on third reading.

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

Dr. B. Miller: Thank you, Mr. Speaker. I'm pleased to rise to address Bill 49, the Police Amendment Act, 2005 (No. 2) in third reading. Let me just say something about standards up front. The recognition of the importance of standards: I've talked about that before. I think that's really important, especially as it applies now to police commissions and police committees. I think that's really important given recent events, and I hope that leads to a strengthening of our police committees and police commissions throughout the province.

The intended purpose of the changes to the wording and to the procedures is to make the process of hearing complaints by the Law Enforcement Review Board more efficient and more expedient. Instead of the rules of evidence, the process of natural justice will be

followed. It has been argued that this will help ordinary citizens, who are often intimidated by the legal process.

Mr. Speaker, what has not been mentioned is whether it will help police officers who come before the board. In fact, I've received letters from police officers expressing their dismay that the rules of evidence are set aside, opening the door for what they consider to be the admission of unsubstantiated, unverified, and hearsay evidence. Their expression of dismay raises for me an important question, and that is whether there has been sufficient consultation in the preparation of this bill; namely, consultation with the public and with citizens who might bring complaints but also consultation with the police because it is often police officers who come before the Law Enforcement Review Board.

Now, the legal advice that I have received is that the principles of natural justice should be enough to ensure fairness. I'm inclined to agree with the hon. minister when he suggests that nothing is lost, that this makes the process more expedient because under the principles of natural justice the most important principle is that a person has a right to be heard. All people coming before this board have a right to be heard, and they ought to have the right to be judged impartially. But I think the effect of this bill remains for me ambiguous because if there hasn't been enough consultation with the parties involved, especially the police, then I wonder about the ongoing effect of this bill.

Finally, the effect of changing the clauses on vexatious and frivolous matters. The changes include a reference to lawyers. Mr. Speaker, I haven't heard any evidence presented that there has been a lot of time wasted before the Law Enforcement Review Board especially by lawyers who hold things up, that they should be accused of frivolous and vexatious complaints. I'm not sure where this is coming from. Again, what consultation has been made with organizations like the John Howard Society or the Criminal Trial Lawyers Association? Certainly, they have a stake in how these procedures unfold. I'm wondering what kind of consultation the Solicitor General department has had with the criminal trial lawyers. Is this going to prevent the lawyers from carrying out their responsible duty to defend complainants when they come before the board?

Actually, I'm quite angered by this whole process, Mr. Speaker. In just two weeks of a session we have these bills all coming at us, and some of them at first glance don't appear to be all that serious, but as time goes on, when you begin to consult with stakeholders, it appears that these bills may be more serious than we thought. What we haven't had is enough time to consult with all the different stakeholders so that we can responsibly deal with bills like this.

Mr. Speaker, in light of that lack of consultation and the letters that I've received, I would oppose this bill going forward. I just lament the fact that we haven't had enough time for proper public consultation.

Thank you, Mr. Speaker.

Dr. Pannu: Mr. Speaker, I am speaking to Bill 49, Police Amendment Act, 2005, in its final reading, third reading. I'll be brief. I stated my concerns with respect to the piece of legislation before the House, and those concerns stand at the time of third reading. I don't think they have been properly addressed.

[Mr. Shariff in the chair]

I also raised my concern at that time about: why rush this kind of important bill when what hangs in the balance is the public's trust in our police services? Police provide such essential, fundamental services and put their own lives on the line, put their lives in danger providing them. Any piece of legislation that has to do with the way

in which the complaints against police officers are heard has to have a strong public consensus behind it. Lack of consultation, the rush with which we are putting this piece of legislation through the Assembly, doesn't give me any satisfaction with respect to the questions that I raised. Are the public behind it? Are the police services behind it? Are all the stakeholders consulted properly? Given that the answer to many of these questions is no, I'm going to have to withhold my support for the bill.

Thank you.

The Acting Speaker: Anybody else?

The hon. Solicitor General and Minister of Public Security to close debate.

Mr. Cenaiko: Question.

[Motion carried; Bill 49 read a third time]

Bill 52

Miscellaneous Statutes Amendment Act, 2005 (No. 2)

The Acting Speaker: The hon. Minister of Advanced Education on behalf of the Minister of Justice and Attorney General.

Mr. Hancock: Thank you, Mr. Speaker, it's my pleasure on behalf of the Minister of Justice and Attorney General to move Miscellaneous Statutes Amendment Act, 2005 (No. 2), for third reading.

[Motion carried; Bill 52 read a third time]

4:20

Bill 53

Surface Rights Amendment Act, 2005

The Acting Speaker: The hon. Member for Peace River.

Mr. Oberle: Thank you, Mr. Speaker. It's my pleasure to rise today and move third reading of Bill 53, Surface Rights Amendment Act, 2005.

Mr. Speaker, it's quite a simple piece of legislation. It simply allows for the Surface Rights Board to issue an operator an order to enter private lands for the purpose of environmental remediation in the event that the operator and the landholder cannot agree on the terms of entry. The landholder remains protected in that they have access to the Surface Rights Board for compensation. I look forward to the debate on third reading.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. I hope this bill will achieve what it's intended to do. Given the lack of EUB public hearings resolving the rights of surface holders and mineral holders, a great deal of grief and conflict can result. Whether it's a gas well to be drilled or a hydro tower to be erected, consultation can be deliberately limited.

The landowner may see this drilling or erecting of a tower as encroachment on their land. They may view it as a form of legalized trespassing. The fact that the operator who initially did the drilling or installation left a mess in the first place just rubs salt in the first inflicted wound. Anger at loss of rights, anger at a further mess being made. The landowner may be considerably less than willing to have the same perpetrator come back onto their land for a third time. So I would hope that within this bill there is an extremely fair

dispute resolution process. Sometimes, just simply paying a person to assuage their anger isn't sufficient.

Thank you.

The Acting Speaker: Hon. members, before I recognize the hon. Member for Grande Prairie-Smoky, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

The Acting Speaker: The hon. Minister for Human Resources and Employment.

Mr. Cardinal: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to the members of the Assembly Jodi Newman and her friend. They're attending Concordia College here in Edmonton. I'd like them to rise and receive the traditional warm welcome of the Assembly.

The Acting Speaker: Hon. members, I've just noticed my assistant from the Calgary office, Jeremy Hexham, has just walked in, and I'd ask him to rise and be recognized by the Assembly.

head: **Government Bills and Orders**
Third Reading
Bill 53
Surface Rights Amendment Act, 2005
(*continued*)

The Acting Speaker: The hon. Member for Grande Prairie-Smoky.

Mr. Knight: Well, thank you, Mr. Speaker. I just rise to make a comment or two with respect to Bill 53. This piece of legislation, as my colleague has indicated, is relatively straightforward and simple. However, I would like to point out that along with that it is extremely important. The issue that we're dealing with here – although a member opposite has indicated that perhaps the EUB's shortcomings with respect to public hearings, et cetera, may have alleviated problems like these if, in fact, we were more diligent in that respect, indicating that in some ways these industrial contracts that are made are nothing more than legalized trespass and all these types of things.

We do have at the end of the day a very serious problem. It is this: when an operator moves out of an area that he has occupied for the purposes of an exploration, they would do a reclamation to remediate the area that they worked in. A certificate can be issued with respect to the reclamation, and it may hold and be valid for a number of years. At some point in time some unforeseen circumstance happens with respect to the piece of real estate. It will require then that we would withdraw the reclamation certificate and require that the operator revisit the site in order to make right the environmental damage that may be existing at that time. There has to be a way for us to ensure that the operator can get access to the site in order to do the reclamation. As my colleague has stated, the owner of the real estate has a right to fair compensation for an operator returning to the property and can apply to the Surface Rights Board to be sure that his compensation is fair and equitable to allow the operator to return.

Mr. Speaker, I would suggest that all members would want to support this bill. It's an important piece of legislation to help us

continue with our diligence with respect to being sure that our environment remains in a good condition.

Thank you.

The Acting Speaker: Standing Order 29(2)(a). Any questions or comments? Hon. Member for Edmonton-Strathcona, are you rising on Standing Order 29(2)(a) to ask questions? Okay.

Well, nobody wishing to ask a question, I'll recognize the hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I'll be very, very brief in my comments on Bill 53, Surface Rights Amendment Act, 2005. I think the bill certainly is heading in the right direction. There are some questions I have raised with respect to how they arrive at fair compensation of the owners of the property to which entry is being allowed here, by way of this act, to a company whose reclamation certificate might have been withdrawn and, therefore, asked to go back onto the property to do further remediation. That to me is an issue that needs addressing, perhaps in regulations, so that there is a fair compensation for whatever damages are a result to the property upon entry by a company that is required to go back in to do the remediation work on environmental damage caused during earlier activity or operation.

I would certainly be in support of this piece of legislation except that I would like to see companies being required to put money in some sort of fund which is substantial enough for them to be able to do the remediation that is necessary. That's one of the problems that remains in this province and needs to be addressed. Just requiring landowners to permit companies who have found themselves being called upon to go back in is not enough. I think there have to be enough reserve resources for these companies to have put in place, that they can then call upon or use to do the remediation.

That being said, I think this piece of legislation is going in the right direction, and I will support it.

The Acting Speaker: Standing Order 29(2)(a). Any questions or comments?

The hon. Member for Peace River to close debate.

Mr. Oberle: Thank you, Mr. Speaker. I'll call the question.

[Motion carried; Bill 53 read a third time]

Bill 54
Alberta Centennial Education
Savings Plan Amendment Act, 2005

The Acting Speaker: The hon. Minister of Advanced Education.

Mr. Hancock: Thank you, Mr. Speaker. It's my pleasure to move Alberta Centennial Education Savings Plan Amendment Act, 2005, for third reading.

I was delighted to hear members from all sides of the House claim credit for this wonderful idea, and I'm sure that they will follow through with the sentiments that were expressed in debate with respect to the need to amend the act so that Alberta children at ages eight, 11, and 14 can be encouraged, or rather their parents and guardians might be encouraged, to open a registered education savings plan, if they have not already, to deposit \$100 at least, to have that matched, and by doing so create a clear expression of interest and intention that their children will get a postsecondary education.

4:30

The Acting Speaker: The hon. Member for Calgary-Currie

Mr. Taylor: Thank you, Mr. Speaker. It's my pleasure to rise on third reading debate of Bill 54, the Alberta Centennial Education Savings Plan Amendment Act, 2005. Without claiming credit for anything necessarily, I just want to reiterate our support for this bill and the amendment that it will attach to the original Alberta Centennial Education Savings Plan Act. It opens up opportunities here to many, many more children; children born before January 1, 2005. I think it makes it much fairer and more equitable, and I'll be pleased to support this bill on third reading.

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

Dr. Pannu: Thank you, Mr. Speaker. On Bill 54, the Alberta Centennial Education Savings Plan Amendment Act, 2005, in its third reading I just want to draw the attention of the House to the fact that I made some fairly extensive observations on it when the bill was in second reading. I think it's a feeble gesture of encouragement for parents.

I think this government needs to learn how to really encourage families and young people to want to go to university from the experience of countries like Finland, which has made postsecondary education free. That sends a very strong message of encouragement and support to parents as well as to young students who may be in school or may be returning after having done some work outside for a while and who want to return to postsecondary institutions.

Similarly, I think we need to learn something from Ireland, a country that without the rich resources that we have took a bold step with a very healthy vision for the future and threw open the doors of postsecondary education by removing tuition fees altogether for Irish citizens. That's the kind of, I think, example that we need to use in order to send a real message of encouragement to students and families that postsecondary education in this province is available and that this government wants to encourage everyone to participate in it.

Knowing especially what we know about the low participation rate of Albertans in postsecondary education, there is indeed a need for a very bold step forward, and this bill doesn't provide that. I just wanted to make sure that I'm on record reminding the House, and the minister in particular, that there's a need for bold action along the lines of the countries of Finland and Ireland.

Thank you.

The Acting Speaker: Standing Order 29(2)(a)? Any questions or comments?

Anybody else wish to participate in the debate?

The hon. Minister of Advanced Education to close debate.

Mr. Hancock: Question.

[Motion carried; Bill 54 read a third time]

Bill 55
Post-secondary Learning
Amendment Act, 2005 (No. 2)

The Acting Speaker: The hon. Minister of Advanced Education.

Mr. Hancock: Thank you, Mr. Speaker. I am pleased to move Bill 55, the Post-secondary Learning Amendment Act, 2005 (No. 2), for third reading. This is a rather modest act, but I think it will have

some significant opportunities for the colleges and technical institutes in our system, and it will allow us to move forward with the system to design appropriate frameworks for alternate models for academic councils. I've committed to working with the system over the course of the winter if the Legislature passes this act, to help design the frameworks that would be appropriate and put in place the regulations which would be necessary to allow an individual institution to propose some alternate form of academic council which helps them to meet their goals and aspirations.

I've also committed to the opposition critic to work with him and to discuss with him the proposed models and frameworks, and I look forward to any advice and direction that he and other members of the House might have in that regard as we move forward to help create the best learning system in the country, in fact in the world, so that Alberta can have the best education and have access to the opportunities which we provide.

Thank you.

The Acting Speaker: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you, Mr. Speaker. Again, pleased to rise on third reading debate of Bill 55, the Post-secondary Learning Amendment Act, 2005 (No. 2). In the perfect world there may have been a better way to go about this, but this is not the perfect world. I do believe that this change to the Post-secondary Learning Act will give colleges and technical institutes that want it the flexibility that they need to design academic councils in their own way, that allow them to move forward with their plans, whether that's to pursue AUCC accreditation or design another model, whatever it might be.

The thing that I especially like about this bill is that it does not necessarily – although the minister acknowledged in committee yesterday that he has committed to consulting with all the colleges and technical institutes about this, and it's possible that what we're creating here is a second model for academic councils at the college and technical institute level. But if it works really well – if things work really well – what we'll come up with is an academic council that follows the general template that's in the act now plus, under this amendment that would create a section 47.1 to the Post-secondary Learning Act, an ability for colleges and technical institutes to have the flexibility to pursue their own paths.

So if one particular college wants to go in one direction and creating its own custom-designed academic council will enable it to do that – for instance, getting itself into a position where it can offer degrees that are recognized by the AUCC – this amendment, this bill, this act would give them that ability whereas another college might wish to go a slightly different route, and the flexibility would be there, we hope, for that to occur as well.

I thank the minister again for committing to consult with me as this consultation process and the development of the regulations go along. I think that will be helpful and informative as well. Hopefully, I will be able to provide some input that the minister will find useful. I will try. I will commit to do that. Hopefully out of this whole process will come good regulation that allows for our colleges and technical institutes in this province to achieve their full potential both over the short term and over time.

Thank you.

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

Dr. Pannu: Thank you, Mr. Speaker. I'll be very brief on my comments on Bill 55, Post-secondary Learning Amendment Act, 2005 (No. 2). I just want to note that during the debate on Bill 43, that umbrella piece of legislation which lumped universities,

colleges, and technical institutes together under one piece of legislation, we drew attention to the limits of the sort of approach that that bill seemed to represent, which is the one-size-fits-all approach to the establishment of academic councils.

Colleges in this province are dynamic entities. They are changing their charters, their roles, their program delivery. The scope of programs is changing. We're moving to a degree-granting status for some of the colleges, and we can't have the same one model of academic councils that was envisaged in Bill 43.

So the minister is responding to some of this dynamic change and, specifically, requests from some of the colleges that are to be given powers which are somewhat similar to those that the universities, which grant degrees, enjoy at the moment. The solution that's being proposed by way of this bill is, I think, perhaps not ideal, not something that some of the colleges really want, but certainly it's accommodative of some of the requests that they have made.

4:40

I think what we need as we move towards allowing colleges to offer degree programs, not in one or two areas but in many areas – it is important to revisit the whole issue of the structure of governance for those colleges, from boards of governors down to academic councils, and ask why not: if these colleges are going to be increasingly doing the work that universities have done in the past, that we bring their governance structures closer to the model that presently prevails across the universities because the universities' model does seem to work. And the core of that model is greater institutional autonomy for degree-granting institutions to make decisions that affect the substance of their academic programs, the delivery models, the standards of performance, and the sort of rights and duties of academic and nonacademic staff in those institutions. These rights and duties have to be commensurate with the kind of work that we expect them to do, and degree-granting work is very different from diploma programs and activities.

So I hope the minister will continue to work on this issue, perhaps bring forward stand-alone legislation which governs degree-granting non-university postsecondary institutions in the near future because that may be the real answer. In the meanwhile, this is a step, I think, in the right direction, and he does have my support. I hope he will continue to consult both with the members of this House and certainly on this side of the House but also with institutions, who will certainly bear the major impact of the changes in legislation that are made in this House based on the initiatives that he takes.

Thank you, Mr. Speaker.

The Acting Speaker: Standing Order 29(2)(a). Any questions or comments?

There being none, the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you. As the representative for Calgary-Varsity and the University of Calgary I'd like very much to thank the Minister of Advanced Education for his collaborative efforts and consultation with the hon. Member for Calgary-Currie in terms of drafting and explaining Bill 55.

There is a great deal of co-operation in Calgary amongst the postsecondary institutions. Mount Royal College, the University of Calgary, the Alberta College of Art and Design, the Southern Alberta Institute of Technology, and the Bow Valley College all work very well together, as do their various students' unions. There has been some discussion about a perceived threat if Mount Royal were given a degree-granting status. But from what I've heard from both students and faculty, this threat is not real. Each institution, as the hon. Member for Calgary-Currie pointed out, has a unique place,

and the co-operation between the various institutes enables a relatively smooth transition from one institution to another.

Again, thank you very much, Advanced Education minister, for pushing Mount Royal College that much closer to a degree-granting status.

The Acting Speaker: Standing Order 29(2)(a)?

Anybody else wish to participate in the debate?

The Minister of Advanced Education to close debate.

Mr. Hancock: Question.

[Motion carried; Bill 55 read a third time]

Bill 56

Business Corporations Amendment Act, 2005 (No. 2)

The Acting Speaker: The hon. Minister of Advanced Education on behalf of the Member for Calgary-Nose Hill.

Mr. Hancock: Thank you, Mr. Speaker. It's my pleasure to move the Business Corporations Amendment Act, 2005 (No. 2).

This act deals very succinctly with some elements with respect to amendments that were made to add the concept of an unlimited liability corporation. It was a new concept for Alberta in the spring of this year, and the amendments were made to the Business Corporations Act this spring in order to allow for the unlimited liability corporation.

That having been done, there was opportunity for a more thorough look and review over the summer and to get some feedback. That feedback resulted in the amendments being brought forward this fall relative to how shareholders in an unlimited liability corporation might end their association with that unlimited liability corporation and, therefore, remove their liability for the actions of that company, among other amendments.

It's an important piece of work because unlimited liability corporations will become a good vehicle for people to do business in the province. It's an opportunity for yet another form of corporate organization, giving choice to companies and to Albertans in terms of how they organize their affairs to maximize their ability to do business, create jobs, create economic opportunity in the province. I'd commend the bill to the House for passage in third reading.

The Acting Speaker: The hon. Member for Edmonton-Meadowlark.

Mr. Tougas: Thank you, Mr. Speaker. In regard to the Business Corporations Amendment Act, 2005 (No. 2) I believe this bill has been adequately debated. We have a few minor reservations about some of the clauses but nothing too terribly substantial. I'd be happy to move that we adjourn debate and call the question.

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

Dr. Pannu: Thank you, Mr. Speaker. I'm glad that you didn't accede to the request to adjourn debate on the bill.

Mr. Speaker, Bill 56 is really an attempt to make what's called minor amendments to an already existing bill, Bill 16, that was debated in this House I think in the spring. The flaws in that bill were certainly debated in this House at some length, among other things. Just to remind the House of one of the problems with that bill, I'm quoting from a publication from the Fasken Martineau corporation, the article written by Morgan Tingle, in Calgary. I'll

just read the last part of it. Commenting on the unlimited liability act, they said:

The difference in shareholder liabilities notwithstanding, the creation of the AULC [Alberta unlimited liability corporation] provides an excellent opportunity for U.S. companies to benefit from Alberta's corporate-friendly legislative and tax regimes. In particular, there are several key differences between the Nova Scotia Companies Act . . . and the Alberta Business Corporations Act . . . many of which make AULCs a more attractive alternative to the NSULC,

the Nova Scotia counterpart of it, according to the assessment provided by this expert on business legislation.

The amendments, Mr. Speaker, that are proposed here are not enough to address the flaws in the previous legislation which they're trying to amend. They demonstrate that there must be serious failings in the earlier legislation. Whether this bill fixes these failings is highly questionable.

I ask: what's the rush in bringing the unlimited liability corporations act amendments here now? The whole concept is poorly understood. Its implications for tax avoidance have not really been fully explored. Why rush into approving amendments to a bill that seems to have serious flaws? Given the state of Alberta securities enforcement practices here and our rather poor track record in prosecuting corporate misconduct or crime, U.S. companies must think that it's a pretty safe bet for them to incorporate as a ULC in Alberta in exchange for tax advantages.

I continue to have serious reservations about this piece of legislation, Bill 56, Mr. Speaker. I thought I'd very briefly reiterate them for the purpose of the record of this House. Thank you.

4:50

The Acting Speaker: Standing Order 29(2)(a)?

Does anybody else wish to participate in the debate?

The hon. Minister of Advanced Education to close debate on behalf of the hon. Member for Calgary-Nose Hill?

[Motion carried; Bill 56 read a third time]

Bill 57 Apprenticeship and Industry Training Amendment Act, 2005

The Acting Speaker: The hon. Minister of Advanced Education.

Mr. Hancock: Thank you, Mr. Speaker. With great pleasure I move Bill 57, Apprenticeship and Industry Training Amendment Act, 2005, for third reading.

This, again, is a modest act but one that's important. As I explained to the House on earlier occasions, there was a discrepancy in the legislation or a potential concern or a vagueness in the legislation dealing with the transition from the manpower training act to the Apprenticeship and Industry Training Act a number of years ago. That ambiguity was highlighted in a court case recently, and as a result it was deemed appropriate to move forward to clarify so that there was no doubt as to what trades would be listed as designated trades under the legislation.

The purpose of this bill is to create the regulation-making authority so that designated trades can be listed and clearly identified for Albertans. There has been some suggestion that that should be done in the legislation as opposed to by regulation, but that's not really a practical suggestion, Mr. Speaker. The fact is that we don't designate trades lightly, and we certainly don't de-designate trades lightly.

We have a very appropriate but detailed process in the province with the Alberta Apprenticeship and Industry Training Board, which has members from both industry and trades on the board. We take advice from that board. That board takes advice from a series of provincial advisory councils and local advisory councils. When we deal with issues such as apprenticeship-to-journeyman ratios, we ask that series of advisory groups for advice and direction in that area. When it comes to areas where we ought to have appropriate designations for required trades, the Apprenticeship and Industry Training Board provides advice after consultation through the provincial advisory committees and the local advisory committees. When we're talking about where there needs to be improvement in trades training, again, we get advice through that process.

Mr. Speaker, we have in this province an apprenticeship training system which is the envy not only of the country but of the world. In fact, we had a recent mention, I believe it was in Barbados, in their throne speech, on the apprenticeship and industry training system that they're setting up there, which is modelled on Alberta's. Others have come from around the world to see how it's being done here. I'm not saying this to blow our horn as government but to blow our horn as to the way in which industry and trades have worked together to create a comprehensive system and comprehensive trades training.

This piece of legislation is a modest way of yet evergreening our legislation, continuing our efforts to improve legislation so it's clear for Albertans, understandable for Albertans, so they know where to go to find the information that they need, so it's clear that when we're trying to enforce the legislation, there's a clear line of authority for that enforcement.

The situation that this arose out of was a situation where there was a request for an order directing an individual who owned and operated an autobody repair shop to cease working in the autobody technician trade until he was in compliance with sections 21(3) and 21(4) of the Apprenticeship and Industry Training Act. That application was not successful because the court found that there wasn't a clear line of authority showing that to be a designated trade.

Of course, since the time that the act came into effect, there have also been a number of name changes. To put it in the act and to outline it in the act, either directly in the act or as a schedule, would be a cumbersome process.

I can assure all members of the House that this is not a method to denigrate the noncompulsory trades, to have an easy way to move from compulsory to noncompulsory, or to fragment the trades. As I indicated to the hon. Member for Edmonton-Manning when he raised his concerns, I'm more than happy to sit down with him, discuss the concerns that he raised with respect to trades and trades training.

We look forward to a very, very bright future in this province, with many opportunities for young Albertans who want to go into the trades as a valid career choice. I want to assure that hon. member and other members of the House that we take the issue of trades training, trades certification, the designated trades, or compulsory trades very, very seriously. We would ask for the support of the House in making this amendment so that where there is the necessity for compulsory trades and to enforce the regulations around compulsory trades, we have a clear line of authority to do so.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Edmonton-Decore.

Mr. Bonko: Thank you, Mr. Speaker. I'm pleased with such a thorough explanation from the minister. Some of the concerns, comments, or questions that we had, which were raised by the

Member for Edmonton-Manning, have been answered. His consent to go back and discuss some of the concerns that the member has is great. I thank him for that. We did raise a number of concerns, as the minister did, with the compulsory trades and/or the optional trades. As for everything that we have mentioned and had concerns about, I think we can live with what's going on.

Thank you.

The Acting Speaker: Hon. Member for Grande Prairie-Smoky, are you rising to speak?

Mr. Knight: Thank you, Mr. Speaker. Again, there doesn't appear to be much to this particular piece of legislation. Of course, many times we gloss over some of the smaller bits of legislation that appear not to be detailed or important.

I had the very good fortune to come up through the apprenticeship training system in the province of Alberta. In fact, when I initially engaged in the trade of an instrument mechanic, there was at that point in time no regulation with respect to who could or could not practise that trade. What we did was work under the auspices of electricians, so we would have journeymen electricians that would sort of be our mentors, and we worked along with them.

However, what happened to instrument mechanics in that particular period of time was that their opportunities for advancement and also their opportunities with respect to equalizing salaries around that trade were limited simply because there was no recognition of the fact that that enterprise was, indeed, a registered trade.

When it came forward through the system, a very similar situation. It really did add an awful lot for young Albertans who wanted to become involved in the instrumentation and control business to have a licence to practise that trade in the province. It made a huge difference in their ability to have both secure employment and a level playing field with other individuals that worked very closely in the same industry although were certified as qualified electricians.

5:00

The other thing that's important with respect to this, although nothing mentioned in the legislation but is supplemental to this, is that the certified engineering technologists that come along behind the technologists, people that would decide that they want to advance their opportunities another step further, the more certifications that we have that are clear I think the more opportunities it will afford young workers to move along and further themselves in the area of being certified engineering technologists as well.

So I applaud the legislation and hope that all members of the House would support it. Thank you.

The Acting Speaker: Standing Order 29(2)(a).

Anybody else wish to participate in the debate?

The hon. minister to close debate?

[Motion carried; Bill 57 read a third time]

Bill 58

Alberta Centennial Medal Amendment Act, 2005

Mr. Mar: Mr. Speaker, much debate has taken place over this bill at previous stages of its reading, and I appreciate comments made by members on both sides of the House and would move third reading of Bill 58.

The Acting Speaker: The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much. Before closing debate on Bill 58, I'd just like to commend the efforts of our respective and respected House leaders in their schedule of collaborations that led to very efficient debates and discussions both last night and this afternoon. I commend their efforts. It shows how we can be a working unit.

With regard to Bill 58 I would like to thank the Minister of Community Development for providing opportunities for us all to recognize the efforts and contributions of our constituents. Both the medallions and the medals were very much appreciated by the recipients. I'm sure each of us could recount specific stories of deserving candidates within our constituencies, but I won't take that time now.

This Sunday, in terms of a collaborative effort, I will be presenting with the Member for Calgary-Nose Hill candidates that he suggested from the Banff Trail Community Association executive, of which he is a member. We have wonderful collaboration in Calgary-Varsity.

With regard to specifically Bill 58 one of the beauties of this whole medallion/ medal is that we each got an equal number. We each had 30; we gave them out. It was a universal kind of equivalency. If we wish to give the Premier of Saskatchewan a medal, I'm all for it. Saskatchewan is our sister province. It just seems to me that this bill is a very complicated way of accomplishing that.

Thank you.

The Acting Speaker: The hon. minister to close debate.

Mr. Mar: Thank you, Mr. Speaker. I'm happy to close debate on this. In response to the comments made by the hon. Member for Calgary-Varsity, I can assure the House that were it as simple as simply conferring it on the Premier of Saskatchewan, we would have done so. He may think that this is an awkward way of doing it, but as currently constated, our legislation doesn't permit the conferring of a medal upon a non-Alberta resident. So this was the simplest way of addressing it. We've taken the Saskatchewan legislation and mirror imaged it and applied it ourselves. This is the simplest solution to reaching the objective.

Thank you, Mr. Speaker.

[Motion carried; Bill 58 read a third time]

Bill 51

Appropriation (Supplementary Supply) Act, 2005 (No. 2)

The Acting Speaker: The hon. Minister of Finance.

Mrs. McClellan: Thank you, Mr. Speaker. It gives me pleasure to move Bill 51, the Appropriation (Supplementary Supply) Act, 2005 (No. 2) for third reading.

Mr. Speaker, I've reviewed *Hansard* for the number of questions, comments – I must say more comments than questions – and reviewed them through the debate on supply on the various departments that were before the House for supply. I found it helpful to review those comments, and I think that there's a great deal that we can take from many of those comments to make our process work better.

What I really understood from the discussion was certainly that there was a firm commitment for the majority of the spending, whether it was health facilities, a conclusion of health facilities, schools, advanced education facilities, but many, many comments about the process. So I certainly take that advice in the manner that

it was provided and will look at that. As I say, I did check for questions. There weren't really any definitive questions in the area.

So, Mr. Speaker, I would conclude my comments in moving third reading and look forward to comments from other members.

The Acting Speaker: The hon. Member for Cardston-Taber-Warner.

Mr. Hinman: Thank you, Mr. Speaker. I just wanted to briefly address once more, as it has been several times, that a plan really should have been in place. Just today alone I received three letters from teachers in my constituency that are very concerned about the unfunded liability of the teachers' pension plan. There are many debts in the province that I feel we should be looking at and addressing, yet in this Bill 51 it seems like it was more of an expense and spending spree than it was addressing the problems. I'd just like to make that note again that we should be looking at a plan. We should be looking at debts and other problems that we should be cleaning up at this time and not go on a spending spree and look at where and how fast we can spend this money for political purposes, it seems.

Thank you.

The Acting Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. It is my pleasure to speak to Bill 51, the appropriation act. There have been a number of comments made about spending sprees, about unplanned spending. To be perfectly frank, nothing could be further from the truth.

Much of the appropriations and much of the concern about the application of unbudgeted surpluses this year has been that there hasn't been accountability. Well, accountability is happening. We're back to the Legislature asking for approval for the funding, but between sittings of the Legislature it is normal for governments to govern. It is very appropriate to take what is a very well-thought-out, I think, capital program where we know and understand - for example, in my area of responsibility in Advanced Education we have 21 public institutions, most, if not all, of whom have a clear understanding of their way forward in terms of the types of places that they want to provide for students, the type of educational opportunities they want to provide for students, and the capital needs that they have in order to meet those aspirations.

5:10

If we go through the province, we can see that the University of Lethbridge, for example, has become the pre-eminent centre for water research. That is something that is very important to Alberta, very important to our Water for Life strategy, very important to move forward. We've taken the opportunity to indicate to the University of Lethbridge that we will put aside in the capital fund sufficient resources to allow them to move ahead on their water research building. They have other needs that are part of the capital plan that have not been funded as yet in terms of academic spaces and other spaces. So if, indeed, more resources come available, I will be working with and lobbying the Minister of Finance and the Treasury Board and my colleagues to allocate more resources to the capital fund to deal with those issues.

The University of Calgary, for example, as I indicated, has about a \$780 million or \$800 million program that over the next number

of years they would like to embark on with respect to funding. So there have been allocations there.

Supplementary supply is the funds that we're asking to spend in this year, some of which go towards longer term projects and some of which go towards operational funding. Very, very appropriate that we move ahead on our plans, that we come to the Legislature and ask for the spending that we require in this year. The supplementary supply that is being asked for includes for Advanced Education some \$80 million.

Some of those are very important projects and projects which go forward this year: \$15 million, for example, to assist the University of Alberta in its acquisition of the Bay building, which will be not only important for the university in terms of student learning opportunities but very important in terms of the whole process of commercialization of research. So I know that Innovation and Science will be very interested in working with them as they move their commercialization centre from an old building at the university, which will have to be taken down to make way for the new ambulatory learning centre, to relocate it downtown Edmonton, where it will be an engine of commerce and commercialization. Very, very important for that pillar of the 20-year strategic plan where we're talking about unleashing innovation.

So many different things which we can go forward on. It's important that we have the opportunity to move forward, that we have the opportunity to do this strategic planning process, to move ahead with the capital plan, to ask for permission to spend in this year those dollars which need to be expended in this year, some, a modest amount, for program spending because we're limited to a modest amount of in-year spending on programs. One per cent of the budget is in the contingency allowance. There are lots of things that happen in-year in terms of cost pressures for institutions, for example, in terms of rising energy prices and those sorts of areas. Rising energy prices: obviously a very good thing for a province which sells energy as a commodity, but it creates a pressure for Albertans in terms of gas prices, and pressure for Alberta institutions in terms of their heating costs. So those are the types of things that we need to address in-year through supplementary supply, and those are the things that we're asking permission for in this bill. I think they're all very understandable.

I do understand the opposition's concern about having the opportunity to review supplementary supply and debate it, but I certainly don't understand their desire for us to stop the process of government and do nothing while we await their opinions on it when, in fact, the government has been duly elected by the people of Alberta to govern the province and be accountable to the Legislature. That's what we're doing now: asking for permission to move ahead with spending, subjecting government programs based on clear and decisive and important plans to the Legislature for approval.

So I would hope that members would approve the appropriation act today and allow us to move forward with that.

With that, Mr. Speaker, I would move that we adjourn debate.

[Motion to adjourn debate carried]

Mrs. McClellan: Mr. Speaker, I would move that we call it 5:30 and reconvene at 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:15 p.m.]

